

SAC, Salt Lake City (66-1509)

8/10/60

Director, FBI (66-2435) *2498*

**REPORT WRITING
SUGGESTION AS TO TRANSMITTAL
OF INSERTS TO AUXILIARY OFFICES**

Reurlet 3/2/60 suggesting that inserts and FD-302s transmitted to auxiliary offices become pages of the transmittal letter rather than be sent as enclosures.

A careful study has been made of your suggested procedure and the following observations resulted:

Only one copy of inserts for information and/or background to cover leads is necessary in most correspondence to another office. To do as you suggest and number inserts as pages in the transmitting document would necessitate sending at least two copies of these inserts where one is now adequate. Otherwise the original letter would have more pages than the duplicate copy of that letter.

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Further, adoption of your suggestion would make an exception to existing rules concerning the handling of enclosures to another office. In the interest of uniformity and to avoid confusion as to the processing of enclosures, your suggestion is not being adopted.

Although this suggestion is not being favorably considered, your continued interest in bringing your ideas to the attention of the Bureau concerning means of improving our operations is indeed noteworthy and appreciated.

JVC:meh (4)

NOTE: Re Salt Lake City letter to Director 8/2/60, concerning report writing suggestion as to transmittal of inserts to auxiliary offices.

[redacted] Chief Clerk, Washington Field Office, advised no problems involved with current method of handling inserts described in SAC, Salt Lake City's letter. She stated additional copies of inserts would be necessary where one is now sufficient. [redacted] Manuals Desk, advised existing rules do not include numbering enclosures as pages to transmitting document and would require manual changes.

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(continued on page 2)

MAIL ROOM ☒

TELETYPE UNIT ☐

AUG 16 1960

From personal field experience, it is known that this occasion wherein inserts are submitted to auxiliary offices for information is rare and it is felt further consideration should not be given this suggestion.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 8/2/60

FROM : SAC, SALT LAKE CITY (66-1509)

SUBJECT: REPORT WRITING
SUGGESTION AS TO TRANSMITTAL
OF INSERTS TO AUXILIARY OFFICES

It is the present practice in the field to transmit copies of inserts and FD-302s to auxiliary offices to supply background information and bases for leads. These are transmitted as enclosures, being designated as such in the lower left hand corner of page 1 of such communication and are usually stapled to one copy of the letter of transmittal directly or in an envelope.

The receiving office breaks down these enclosures and then staples one copy of each "enclosure" to each copy of the incoming communication. The "enclosure" then loses its identity as such.

It is recommended field offices be instructed to make the copies of inserts and FD-302s to auxiliary offices pages in the communication. The Chief Clerk's Offices would thereby be relieved of the reassembling and accounting for the enclosures.

The suggested procedure would not affect the present policy of the submission of inserts and FD-302s to the office of origin for inclusion in a subsequent report; the latter practice appears to be functioning very efficiently.

2 - Bureau
1 - Salt Lake City
HMC: MEN
(3)

REC-76

7 AUG 5 1960

EX-104



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UNITED STATES (

Memora

- Mohr
- Malone
- Belmont
- Donahoe

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TO : A. H. Belmont *ALB* *8-15-60* DATE: August 5, 1960FROM : S. B. Donahoe *SB* *8-15-60*

SUBJECT: SUGGESTION #12-61
SUBMITTED BY [REDACTED] (SA)
DOMESTIC INTELLIGENCE DIVISION

Memorandum from Mr. Malone to Mr. Mohr dated 7/29/60 analyzed above suggestion and recommended (1) that the suggestion not be adopted and (2) that the Domestic Intelligence Division take necessary action to assure that the practice of using duplicate copies of the same interview form (FD 302) in different reports when having a bearing on more than one investigative matter be discontinued by those field offices who are now using this practice.

By way of background, it had come to SA [REDACTED] attention that at least one field office in reporting information in security matters furnished by an individual which concerned an organization and its members, reported this type information by placing duplicate copies of the interview form in the investigative report on the organization and in the investigative reports on the individual members thereof. In view of this, it was suggested that where such practice is used the reporting office should cross-reference or flag this duplication by making a statement in the cover pages to the report. Above-mentioned memorandum analyzed the over-all procedure involved and concluded that this practice of duplicating information should be discontinued. It was the opinion of the Training and Inspection Division that this procedure tends to include unnecessary information in these individual files and might better be handled by extracting pertinent information where appropriate.

Since the extent of this practice throughout the field cannot be fully determined, it appears desirable to call the field's attention to this matter by SAC Letter. Enclosed SAC Letter accomplishes this and instructs the field that the practice should be avoided in the future.

RECOMMENDATION:

That enclosed SAC Letter be approved and forwarded.

BLH:jlw
(6)

52 AUG 24 1960

REC-25 66-2435-2499

2-1-60

62-21-2500

REC- 25

EX 109

July 20, 1960

PERSONAL

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[Redacted]
Federal Bureau of Investigation
Washington, D. C.

Dear [Redacted]

I have been advised of your suggestion proposing a cross-referencing procedure to be followed in those instances where the same interview report form is used in different investigative reports. A careful study of your idea is being made and in the event it would be to the Bureau's advantage to adopt it you will be advised.

I certainly appreciate the interest which prompted you to make this suggestion.

Sincerely yours,

J. Edgar Hoover

1 - Mr. Belmont

RWB:meh (Suggestion #13-61)

(4)

NOTE: Based on memo [Redacted] to Mr. Donahoe, dated 7/15/60, Re: Suggestion re Cross-Referencing of Duplicate Copies of Inserts in Separate Investigative Reports.
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READING ROOM

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Donahoe

DATE: 7/15/60

FROM : B. L. Huelskamp

Report

SUBJECT: SUGGESTION RE CROSS-REFERENCING
OF DUPLICATE COPIES OF INSERTS IN
SEPARATE INVESTIGATIVE REPORTS
SUGGESTION #13-61

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Recently it has been noted that duplicate inserts have appeared in reports covering separate investigations. Specifically, these instances can occur when an interview form (Form FD302) is executed having a direct bearing on more than one investigative matter. Thereafter, duplicate copies are placed in reports re different investigative matters. This appears to be an efficient, time-conserving method of reporting this type of information.

At present, however, there is no requirement that this exact duplication of information be cross-referenced or flagged for the reader's attention. It appears that cross-referencing in such instances would be beneficial for the following reasons: (1) Duplication of effort in the review of this portion of the report could be eliminated which would be of assistance to the field supervisor prior to sending the reports to the Bureau and to the Bureau supervisor reviewing the report at SOG. (2) If an error were detected in one copy of the insert, it would insure that such error would not go undetected and uncorrected in the other reports, thereby avoiding possible embarrassment to the Bureau. (3) It would call the Bureau supervisor's attention to the parallel or other investigations of which he may not be aware.

In view of the above, it is suggested that the FBI Handbook, Part 1, pages 48-50, and the Manual of Rules and Regulations, Part 2, Section 4, pages 12-13, which concern information to be added to the cover pages of a report, be revised to require the cross-referencing of such duplication. The following wording is suggested: "(16)...the page or pages in the report containing information which is exactly duplicated in another investigative report as well as the identity of the report. For example, the use of FD302 insert in more than one report." This would appear also as item "(p)" in Section 4(1), (m), (1) in Part II, Manual of Rules and Regulations.

BLH:nsi

(5)

1-Donahoe

EX 109

REC-25

1-Fitzgerald

1-Section Streamlining Committee

Enclosure

10 AUG 19 1960

(ADDENDUM BY TRAINING AND INSPECTION DIVISION, PAGE 2)

PERS. FILES

2-Proof

Memo to Mr. Donahoe

Re: SUGGESTION RE CROSS REFERENCING
OF DUPLICATE COPIES OF INSERTS IN
SEPARATE INVESTIGATIVE REPORTS

RECOMMENDATION:

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The above suggestion was considered favorably by the Nationalities Intelligence Section Streamlining Committee. It is recommended that the suggestion be considered by the Domestic Intelligence Division Streamlining Committee prior to its referral to the Training and Inspection Division for consideration. *BPA*

ADDENDUM BY DOMESTIC INTELLIGENCE DIVISION STREAMLINING COMMITTEE
(JMF:jas, 7/18/60)

The Committee has considered above suggestion, looks on it favorably as meriting further study, and concurs in recommendation that it be referred to Training and Inspection Division for consideration. Following this, Supervisor [redacted] [redacted] should receive appropriate recognition for his suggestion.

and for *JMF*

ADDENDUM BY TRAINING AND INSPECTION DIVISION, RWB:meh 7/19/60. *BWB*

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Discussion was had with SA [redacted] by Suggestion Desk to clarify instances wherein same FD-302 would appear in different reports. He advised when information furnished by ^{INDIVIDUALS} security informants, concerning subversive organization and individual members, FD-302 was channelized to individual files and reproduced exactly as inserts in the individual reports. It is opinion of the Training and Inspection Division that this tends to include unnecessary information in these individual files and might better be handled by extracting certain information for each individual and reporting it to his file on plain paper or separate FD-302 with proper identification of source on cover pages. The original informant report or FD-302 on the organization would be the proper document to produce in court if needed for trial. However, since suggestor indicates that this appears to be an efficient time-conserving method of reporting this type of information the views of the Investigative Division are being obtained before a final recommendation is made on this suggestion. Attached is an interim acknowledgment letter for approval to SA [redacted]

Jac *Donahoe* *WV*

UNITED STATES

Memorandum

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TO : Mr. Mohr

DATE: 7/29/60

FROM : Mr. Malone *jm*

SUBJECT: SUGGESTION #13-61
 SUBMITTED BY [REDACTED] (SA)
 DOMESTIC INTELLIGENCE DIVISION

SUGGESTION: That Bureau manuals be revised to require the cross-referencing of duplicate inserts in reports covering separate investigations. SA [REDACTED] noted that instances can occur when an interview form (FD-302) is executed having a direct bearing on more than one investigative matter. Thereafter duplicate copies are placed in reports on different investigative matters.

SA [REDACTED] suggestion has previously been acknowledged by letter from the Director.

CURRENT PROCEDURE: SA [REDACTED] pointed out that at the present time there is no requirement that this exact duplication of information be cross-referenced or flagged for the reader's attention.

ADVANTAGES: The suggestor feels that cross-referencing in such instances would be beneficial for the following reasons: (1) Duplication of effort in the review of this portion of the report could be eliminated which would be of assistance to the field supervisor prior to sending the reports to the Bureau and to the Bureau supervisor reviewing the report. (2) If an error were detected in one copy of the insert it would insure that such error would not go undetected and uncorrected in the other reports, thereby avoiding possible embarrassment to the Bureau. (3) It would call the Bureau supervisor's attention to the parallel or other investigations of which he may not be aware.

CONCLUSIONS: Mr. Sizoo, Domestic Intelligence Div., is in favor of adopting this idea. Mr. Malley, Investigative Division, advised that this suggestion would be applicable to the work of that division in only rare instances and that they have no objection to its adoption if it would be of assistance in the supervision of security cases.

Discussion was had with SA [REDACTED] by the Suggestion Desk to clarify instances wherein same FD-302 would appear in different reports. He advised when information furnished by individuals concerning subversive organization and individual members FD-302 was channelized to individual files and reproduced exactly as inserts in the individual reports.

REC- 25

66-2435-2501

EX 100

10 AUG 19 1960

PERS. FILES

RWB:meh

(2)

57 AUG 24 1960

2 - RWB

It is the opinion of the Training and Inspection Division that this procedure tends to include unnecessary information in these individual files and might better be handled by extracting pertinent information for each individual and reporting it to his file on plain paper or separate FD-302 with proper identification of source on cover pages. The original report or FD-302 on the organization would be the proper document to produce in court if needed for trial. Also to adopt this idea would provide an exception to the existing report writing rule "if information received pertains to different subject matters, separate FD-302s shall be prepared on each and filed in pertinent files." This rule applied under Jencks Law to eliminate where possible necessity of court excising ~~now~~-pertinent material from FD-302s.

RECOMMENDATIONS: 1. That this suggestion not be adopted for reasons indicated above.

2. Upon approval of Recommendation #1, that this memorandum be referred to the Domestic Intelligence Division so that they might take corrective action to assure that practice of using same FD-302 in different reports when having a bearing on more than one investigative matter is discontinued by those field offices who are now using this practice.

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ST

REC-566-2435-2502

August 11, 1960
PERSONAL

Federal Bureau of Investigation
San Juan, Puerto Rico

Dear [redacted]

I have received your suggestion that abbreviations be used in recording the references on the cover pages to reports. A careful study of your idea is being made and in the event a favorable determination is reached I will advise you.

I certainly appreciate the interest which prompted you to make this suggestion.

Sincerely yours,
J. Edgar Hoover

MAILED 19
AUG 11 1960
COMM-FBI

1 SAC, San Juan

FWB:bmw (Suggestion #41-61)

NOTE: Referred to the Domestic Intelligence, Investigative and Files and Communications Divisions for views and recommendations.

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SEP 19 1960

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Aug 11 1 25 PM '60
FBI
RECEIVED-RECORDS DIV.

SPW
HLE
JMW

Date

8/3/60

To:

Director, FBI

From: (Suggester's name)

SA

Division of Assignment

SAN JUAN

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SUGGESTION That abbreviations be used in recording the references on the FD-263 cover page. For example, instead of "Report of SA JOHN DOE dated 7/6/60 at San Juan" the reference could be abbreviated to "Rep SA JOHN DOE 7/6/60 SJ" without losing any of its significance. Similarly "NY let to SJ 7/6/60" and "Buairtel to NY 7/6/60" convey all the necessary information, but require substantially less effort to type than the present system. It is also believed that the word "Interoffice" could be eliminated from references, since if a copy of a communication goes to the Bureau it is normally directed to the Bureau and therefore evident from the reference. If the Bureau is not noted in the reference it can be assumed that the communication is inter-office.

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Current practice or rule (Include manual citation as well as facts)

Rules and Regulations, Part II, Section 4, page 10. Specific form of reference is not set out, "interoffice" is required.

Advantages of suggestion and annual savings (include basis for estimate)

Although in individual instances the amount of time saved in typing would not be great, the cumulative effect would be a substantial saving in time of preparation of reports. (No monetary savings)

Disadvantages of suggestion

There might be a little initial difficulty in the identification of previous communications by clerks.

(The use by the United States of my suggestion shall not form assigns upon the United States)

☒ X

Mr.

☐ Mrs.

Signature, or

Recommendations and comments of Division Head

Suggestion is recommended on belief that it will result in time saving once stenographers become accustomed to method.

X 104

JOHN N. SPEAKES, SAC

(Do not write in this space - for Bureau use only)

ack. 8/14/60
RKB: - mch

3 - Bureau
2 - San Juan

AUG 8 1960

DIRECTOR, FBI

8/12/60

SAC, PORTLAND (100-206-Sub 1)

COUNTER INTELLIGENCE CORPS
REQUEST FOR COPIES OF REPORTS

Special Agent [redacted] Liaison Agent,
Portland Field Office, 115 CIC Group, Building 630, Vancouver
Barracks, Vancouver, Washington, has contacted this office
to request two copies of any reports prepared by the Portland
Office involving military personnel. He said his request
was based upon a request received from the Provost Marshal
in San Francisco, and it was his understanding a similar
request would be made in San Francisco and Seattle.

While this office has enjoyed excellent relations
with the local CIC, the request in this instance appears to
be unusual and will not be complied with in the absence of
Bureau authority.

San Francisco Office is requested to contact
appropriate authorities to determine the basis for the above
request which basis was unknown to [redacted]

Bureau, upon receipt of details from San Francisco,
will advise Portland, San Francisco, and Seattle whether
the CIC request should be honored.

2 Bureau
2 San Francisco
1 Seattle (Info)
1 Portland

RJM:jdt
(6)

66-206-5
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ORIGINAL COPY FILED IN

UNITED STATES GOVERNMENT

Memorandum

TO : MR. A. H. BELMONT

DATE: August 12, 1960

FROM : DIVISION STREAMLINING COMMITTEE

SUBJECT: SUGGESTION # 41-61

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Training and Inspection Division has requested comments of this Division on above suggestion by SA [redacted] San Juan, copy enclosed, that abbreviations be used in recording references on Form FD 263 (cover page of investigative reports) and that the word "Interoffice" be eliminated from references to prior communications on same page. First portion of [redacted] suggestion calls for use of abbreviated terminology, such as "NY let to SJ 7/6/60", "Buairtel to NY 7/6/60" and "REP SA JOHN DOE 7/6/60 SJ", rather than terminology such as "Report of SA John Doe dated 7/6/60 at San Juan".

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[redacted] points out no specific form of reference is set out in Manual of Rules and Regulations, Part II, Section 4, Page 10, and claims abbreviations would convey all necessary information and require substantially less effort to type than the present system. As to the second portion of suggestion, [redacted] says use of "Interoffice" could be eliminated since if communication goes to Bureau, it is normally directed to Bureau and therefore evident from reference, so that if the Bureau is not noted in reference, it can be assumed that communication is interoffice. Use of word "Interoffice" where appropriate, is required.

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[redacted] suggestion claims no monetary savings but states that while in individual instances typing time saved would not be great, cumulative effect would be substantial saving in time of preparation of reports. He cites as disadvantage a little initial difficulty by clerks in identifying previous communications.

The Committee concurs with first portion of [redacted] suggestion as to use of abbreviations because FD 263 is administrative and not disseminated outside Bureau and it is felt shortened language would be clear to Bureau personnel. As indicated by [redacted] current rules do not preclude abbreviating references; in fact, it is already being done in some instances. Making use of abbreviations a requirement would bring about uniformity and save typing throughout the Bureau.

JMF:sap (7)

1-Parsons

1-Belmont

1-Sizoo

1-Training and Inspection Division

1-Liaison Section

1-Fitzgerald

REC-66-2435-2503

SEP 13 1960

Enclosure

51 SEP 14 1960

2-Pratt

Investigative Reports

Memorandum to Mr. Belmont
Re: Suggestion #41-61

[] The Committee does not concur with second portion of suggestion as to elimination of word "Interoffice." While from one point of view this word is superfluous, it is felt it is of value at Bureau as notice that Bureau did not receive copy of communication referenced, and present requirement serves as means of insuring field gives proper attention to fact of whether or not Bureau has referenced communication.

Whether or not adopted in full or in part, [] suggestion poses no specific problem for Domestic Intelligence Division as distinguished from other SOG divisions.

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RECOMMENDATIONS:

1. That portion of [] suggestion as to use of abbreviations in references be adopted.

2. That portion of suggestion calling for elimination of word "Interoffice" not be adopted.

jm7 [signature]

8/12/60

SA San Juan, suggests that abbreviations be used in recording references on cover pages of reports. He also suggests discontinuing word "interoffice" where reference is to a communication not sent to the Bureau.

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While the potential savings in typing time through use of abbreviations would appear to be negligible, the Investigative Division has no objection. It is felt desirable to continue use of "interoffice" or possibly abbreviation thereof in order to prevent unnecessary search for a reference at the Bureau. It is recommended that the suggestion to use abbreviations be adopted but that the use of "interoffice" be continued.

apm *[Signature]*

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

UNITED STATES GOVERNMENT

Memoran

TO : Mr. Mohr

DATE: 9/6/60

FROM : J. F. Malone

SUBJECT: SUGGESTION #41-61
SUBMITTED BY SA [REDACTED]
SAN JUAN DIVISION

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Investigative Reports

SUGGESTION: That abbreviations be used in recording the references on the FD-263 which is the cover page to reports. For example, instead of "report of SA John Doe dated 7/6/60 at San Juan" the reference could be abbreviated to "Rep SA John Doe 7/6/60 SJ" without losing any of its significance. Similarly "NY let to SJ 7/6/60" and "Buairtel to NY 7/6/60" convey all the necessary information but require substantially less effort to type than the present system. SA [REDACTED] believes that the word "Interoffice" could be eliminated from references, since if a copy of a communication goes to the Bureau it is normally directed to the Bureau and therefore evident from the reference. If the Bureau is not noted in the reference it can be assumed that the communication is interoffice. b6
b7C

CURRENT PRACTICE: The Manual of Rules and Regulations, Part 2, Section 4, Page 10, requires the use of interoffice. There is no specific form of reference to be used on the cover page of reports.

ADVANTAGES: SA [REDACTED] pointed out that although in individual instances the amount of time saved in typing would not be great, the cumulative effect would be a substantial saving in time of preparation of reports.

CONCLUSIONS: SAC Speakes is in favor of adopting this suggestion. Mr. Moore, Domestic Intelligence Division, feels that the first portion of [REDACTED] suggestion as to the use of abbreviations should be adopted because FD-263 is administrative and it is not disseminated outside the Bureau and the shortened language would be clear to Bureau personnel. He does not agree with the second portion of [REDACTED] suggestion as to elimination of the word "interoffice." While from one point of view this word is superfluous, it is felt it is of value at Bureau as notice that Bureau did not receive copy of communication referenced and present requirement serves as means of insuring field gives proper attention to fact of whether or not Bureau has referenced communication. Mr. McAndrews, Investigative Division, agrees that only the first portion of SA [REDACTED] suggestion should be adopted. b6
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The Training and Inspection Division does not see any need for establishing a rule that will permit the use of abbreviating references since there is no current rule which precludes this practice. In fact many field offices are already

RWB:meh
 31 SEP 19 1960

REC- 5

66-2135-2504
 5 SEP 13 1960

2-Perth

Memorandum for Mr. Mohr

using the abbreviated references as suggested. The Manual of Rules and Regulations indicates that a reference should be utilized to describe a communication in order to insure identification of the references. As indicated there is nothing to preclude the use of abbreviations and a survey by the Records Branch indicated that a number of communications coming into the Bureau disclosed that many offices do in fact utilize authorized Bureau abbreviations.

With respect to the word "interoffice" being eliminated from references this procedure was initiated after the adoption of the report writing system which permits an auxiliary office to send an investigative report to the office of origin. In these instances there is no requirement that the Bureau be furnished a copy of the report. Accordingly, in future communications sent to the Bureau it is necessary that the interoffice designation be set forth to avoid unnecessary work at the Seat of Government.

RECOMMENDATION:

That SA suggestions not be adopted. Upon approval no further action is necessary since these suggestions have previously been acknowledged by letter from the Director.

gr jmm

*OK
JPM
paw/stt*

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Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (25-390470)

DATE: 9/6/60

FROM : SAC, ST. LOUIS (25-16890)

SUBJECT: [REDACTED]

SSN [REDACTED]
SSA, 1948b6
b7C

OO: Little Rock Investigative Reports
Re St. Louis letter to Bureau 8/12/60.

On August 30, 1960, SA JOHN S. BUSH obtained from the Clerk, U. S. Court of Appeals, Eighth Circuit, St. Louis, Missouri, Docket #16456, one copy of appellee's brief in this case which brief is being transmitted herewith to the Little Rock Office.

It is suggested the Little Rock Office summarize this brief after which the summary together with the brief be forwarded to the Bureau.

St. Louis will follow developments of this case in U. S. Court of Appeals.

3 - Bureau (2 - 25-390470)
(1 - 66-2435)
2 - Little Rock (Enc. 1)
(1 - 25-9456)
(1 - 66-810)
2 - St. Louis
(1 - 25-16890)
(1 - 66-2347)

JSB:ra
(7)

66-2435-
NOT RECORDED
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ORIGINAL COPY FILED IN 25-390470-24

51 SEP 14 1960

AA
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PERSONAL ATTENTION
SAC LETTER NO. 60-40
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

August 16, 1960

WASHINGTON 25, D. C.

(A) REPORT WRITING PROCEDURES -- Recently it has come to the Bureau's attention that in reporting information in security matters which was furnished by an individual concerning an organization and its members, duplicate copies of the interview form (FD-302) recording the interview were inserted not only in the investigative report on the organization but also in the investigative reports on the individual members of the organization. This procedure tends to include extraneous information in the individual reports which detracts from the continuity and clarity. In the future, this practice should be avoided.

Investigative Reports

66-2425-
NOT RECORDED
128 SEP 2 1960

59 SEP 4 1960

ORIGINAL FILED IN 66-04-2967

REC-24
EX-105

66-2435-2505

September 16, 1960
PERSONAL

Federal Bureau of Investigation
Washington, D. C.

Dear [redacted]:
I have received your suggestion that manifold carbon paper sets be furnished to field divisions for use in preparing correspondence. I am sure you will be interested to know that the suggested stationery has been available for use throughout the Bureau in limited quantities. However, because of the expense involved, it would not be advantageous to substitute this material completely for the supplies now in use.

I want you to know that your interest in making this suggestion is very much appreciated.

Sincerely yours,
W. Edgar Hoover

MAILED 10
SEP 16 1960
COMM-FBI

1 - SAC, Washington Field - Limited quantities of the manifold carbon paper sets may be obtained by submitting appropriate requisition. dated 9/9/60

NOTE: (4) Administrative Division, advised that the manifold carbon paper sets which have been in use for some time at the Seat of Government are currently being made available to field offices in limited quantities. This material is more expensive than white manifold and carbon paper and it is not economically sound to use it exclusively throughout the Bureau. One of the biggest disadvantages being that the individual sheets of carbon paper may be used several times whereas manifold carbon paper sets can only be used one time. Further suggested that the material would be made available to WFO in limited quantities by submitting appropriate requisition.

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Sullivan
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Gandy

SEP 16 1960

MAIL ROOM ☐ TELETYPE UNIT ☐

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Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 9/9/60

FROM : SAC, WFO (66-2970)

SUBJECT: Suggestion Concerning The
Use of ~~Manifold~~ Carbon Paper
Sets (ECO-SETTE)O
REPORTSb6
b7C

Attached herewith are three copies of a suggestion submitted by [redacted] Stenographic Unit Supervisor, Washington Field Office, concerning the use of Manifold Carbon Paper Sets (ECO-SETTE).

It is believed that this suggestion has merit and should be considered favorably by the Bureau.

It is to be noted that considerable savings would be accomplished by this suggestion based on computations as set out in the suggestion.

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If the Bureau is in agreement with this computation, it is recommended that consideration be given to a cash award to [redacted] the amount consistent with the table established by the Civil Service Commission in connection with suggestions resulting in a savings.

2-Bureau (Enc.3) - *Yest*
2-WFO
(1-Personnel File, [redacted])

RJP:pam
(4)

EX-105

REC-22

66-2435-2505

17 SEP 1960

9-16-60
WFO: Brown

#137-61

Date

9/9/60

To:

Director, FBI

From

Employee assigned to (Division)

Washington Field Office

b6
b7C

SUGGESTION

c/p
That Manifold Carbon Paper Sets (ECO-SETTE) be furnished to the Field for use wherever manifold copies are used in report writing and other correspondence.

(ECO-SETTE is a piece of carbon and a piece of white manifold assembled. Sample attached.)

Current practice or rule (Include manual citation as well as facts)

Manifold paper and carbon is assembled by stenographer or typist.

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b7C

Advantages of suggestion

Saving in time used to assemble paper and carbon.

REC- 22
EX- 105

66-2435-2505

SEP 12 1960

Disadvantages of suggestion

None known, except there would be some waste of carbon paper sets due to error. This waste would be more than offset by savings in time with resultant savings in salary.

Annual Savings (Show basis for estimate)

Estimated savings of \$94,964.
See attached compilation.

SEP 12 1960

(The use by the United States of my suggestion shall not form the basis for any assignment upon the United States)

☐ Mr.

☒ Mrs.

☐ Miss

Stenographic Unit Supervisor

Signature and Title of Suggester

Recommendations and comments of Division Head

It is believed that this suggestion has merit and should be favorably considered by the Bureau.

3-Bureau (Enc.10)

2-WFO

(1-Personnel File)

(1-Suggestion File)

Special Agent in Charge

Signature and Title

TIME

Using as an average an original and six copies:

To pick up paper and carbon, assemble and place in machine.....	45 seconds
To pick up assembled paper and carbon and place in machine.....	15 seconds
Savings in time per set of six copies.....	30 seconds
Total savings for 25 pages per day.....	750 seconds or 12½ minutes

12½ minutes per day, using an average work year of 250 days, is 52 hours per employee per year.
52 hours at an average salary of \$1.95 per hour..\$101.40 saved per year
(\$1.95 is the average hourly wage of GS 3, 4 and 5.)

MATERIALS

25 pages per day for 250 days..... 6,250 pages

To type 25 pages per day for 250 days, with an average of six copies per page, requires 37,500 sheets of manifold paper and 7,500 carbon at the following cost:

37,500 sheets of white manifold.....	\$43.07	(\$1.15 per 1,000)
7,500 sheets of carbon to make		
37,500 copies (5 times usage).....	<u>39.00</u>	(\$.52 per 100)
Total cost of unassembled paper and carbon.....	<u>\$82.07</u>	
Carbon and manifold paper sets for		
37,500 pages.....	<u>\$96.00</u>	(\$1.28 per 500)
Additional cost for carbon paper sets.....	<u>\$13.93</u>	

The additional cost of \$13.93 for carbon sets is offset by savings of \$101.40 in clerical salary, leaving a net savings of \$87.47 per employee based upon an eight-hour day, 250 days per year.

It is realized that this savings of \$87.47 would be reduced to some extent (cannot be estimated) due to inability to reuse carbon where pages must be retyped because of error, but it is believed the over-all savings would far outweigh the additional cost of materials.

Using an estimated figure of 1200 stenographers and typists in the Field, doing general stenographic and typing work, would mean an approximate savings of \$94,964 per year in salaries. This could mean a reduction in need for personnel or that time saved could be devoted to more productive work.

ENCLOSURES

Ten Manifold Carbon Paper
Sets (ECO-SETTE) as
sample of attached suggestion.

ENCLOSURE

ENCLOSURE

6-422-2505

DOC LAB NOTE

ITEM (S)
CAN NOT
BE SCANNED

DESCRIPTION

CARBON PAPER

UNITED STATES

Memorandum

TO : Mr. Mohr

DATE: 9/13/60

FROM : J. F. Malone

SUBJECT: SUGGESTION #30-61
 SUBMITTED BY CLERK [REDACTED]
 DOMESTIC INTELLIGENCE DIVISION

Tolson _____
 Mohr _____
 Parsons _____
 Belmont _____
 Callahan _____
 DeLoach _____
 Malone _____
 McGuire _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

b6
 b7C

b6
 b7C

SUGGESTION: That the present procedure of deleting the character from investigative reports being disseminated in the 67 (Bureau applicant) and 77 (Departmental applicant) classifications be discontinued.

This suggestion has previously been acknowledged by letter from the Director.

CURRENT PROCEDURE: The Manual of Rules and Regulations, Part II, Section 5, D5A, Page 8, requires that the characters be deleted in 67 and 77 (except Coast Guard Screening Appeal Board) classifications.

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ADVANTAGES: [REDACTED] pointed out that reports being disseminated in response to name check requests in the 67 and 77 classifications must be processed in accordance with the afore-mentioned rule and the characters either clipped from the report or if Photostats are being prepared, the character must be blocked out. As a result, the reports being disseminated present a poor appearance and the procedure of removing these characters is time consuming.

CONCLUSIONS: [REDACTED] Investigative Division, advised that the Bureau by virtue of Executive Order and Departmental instructions is required to disseminate information to employing or interested Government agencies. The current procedure of deleting the character from reports disseminated in many instances serves no purpose as it is usually apparent from the investigation reported in the details of reports that the applicant is a departmental applicant as his close friends and associates are aware, applicant is seeking employment in the Department. He feels that by discontinuing this practice, it will save time and result in better appearance of reports disseminated. It is to be noted that a stamp is placed on all reports disseminated that the reports are confidential and are not to be construed as a clearance or non-clearance.

(Continued on page 2)

5 Enclosure

RWB:mgj

(2)

REC-56

18 SEP 20 1960

CC-66-1934

66-1134
 77-111-524
 UNRECORDED COPY FILED IN

2-fmk
 PERS. FILES

Memo for Mr. Mohr
Re: SUGGESTION # 30-61

[] has no objection to the adoption of this idea.

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Mr. Callahan agrees with the suggestion as it pertains to reports in Bureau applicant cases. Many times interviews conducted in connection with a Bureau applicant as set forth in the details of the report state that the person interviewed either does or does not recommend the applicant for a position with the FBI. In some instances such as Special Agent applicant investigations, comments will be set forth that the individual being interviewed believes applicant has a strong desire to be a Special Agent, that he feels applicant would be an asset to the Bureau, or similar comments. If the applicant was hired by the Bureau, an outside agency which receives our applicant report can very easily determine the employee's entry on duty date and the like by contacting the Bureau. If there is derogatory information in the reports which we disseminate on an applicant we did not hire, the reason for not hiring would be readily apparent in the reports. The reports on the applicant who is not hired ~~and~~ which ~~reports~~ do not contain derogatory information would raise a question in the mind of the outside agency as to why the particular person was not hired; however, there could be any number of reasons such as the applicant obtained other employment, we were not hiring at that particular time, or because of disqualifying information in a physical or memorandum which is not disseminated. Mr. Callahan advised that [] #1 Man in the Name Check Unit, which handles dissemination of Bureau reports, is in agreement with the suggestion.

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Since no valid reason can be seen as to why the character of the report should be deleted prior to dissemination, the Training and Inspection Division agrees that this idea should be adopted.

RECOMMENDATIONS: 1. That [] suggestion be adopted and that the attached letter of appreciation be sent to him.

2. Upon approval of recommendation #1, that this memorandum be routed to the Domestic Intelligence Division for appropriate action.

3. That this memorandum serve as the necessary basis for making appropriate manual changes.

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2 -

MA 57

Assistant Attorney General

September 14, 1960

Director, FBI

JENCKS ACT
REPORT WRITING

Investigative Reports

b6
b7C

b6
b7C

In the event you have not already been advised of the matter, I think you will be interested in a recent decision of the Circuit Court of Appeals for the Second Circuit which conspicuously raises a potential problem in Government report writing procedures for compliance with the requirements of Title 18, U. S. Code, Section 3500, the so-called Jencks Act.

On August 23, 1960, in the case of United States v. [redacted] et al., the Circuit Court of Appeals for the Second Circuit unanimously upheld the lower court convictions of the defendants on charges growing out of a theft from interstate shipment. In upholding the convictions, the court overruled the defense contention that it was error for the Government to produce only an FBI Agent's memorandum of a pretrial interview with a Government witness and not to also produce the FBI Agent's notes, taken at the time of interview, on which that memorandum was based, the notes having been destroyed after preparation of the memorandum. We note, however, that the court then analyzed the Jencks Act and made the following statement:

"Both the words of the statute and the intent behind them combine to lend support to the view that 'statement' means a fairly comprehensive reproduction of the witness' words and does not include fragmentary notes, settings, scraps or writings which are not 'substantially verbatim.' However, as a practical matter such a construction does not mean that notes of the type here made should be destroyed. Wherever the word 'substantially' is used, there will be a need for some judge to determine what is substantial. In this case he might well have held that these notes did not come within the statute. If so, production would not have been required. On the other hand, he might have found enough therein to warrant production. Borderline situations should be resolved by the trial judges and not by government agents. Hence, it would be the better practice to preserve the written notes taken on interviews with persons accused or suspected of crime."

MAILED 2
SEP 15 1960
COMM-FBI

- Tolson
 - Mohr
 - Parsons
 - Belmont
 - Callahan
 - DeLoach
 - Malone
 - McGuire
 - Rosen
 - Tamm
 - Trotter
 - W.C. Sullivan
 - Tele. Room
 - Ingram
 - Gandy
- 1 - Mr. Parsons
1 - Mr. Belmont
1 - Mr. Rosen
DJD:hcv

66-2435
NOT RECORDED
NOTE: Based on 1960 from J. F. Malone to Mr. Mohr dated 9/13/60, re same as above
DJD:hcv

51 SEP 19 1960

MAIL ROOM TELETYPE UNIT

[redacted]

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67-10402-621
ORIGINAL FILED IN

Assistant Attorney General

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We do not know whether the quoted statement was intended to be advisory only or to be taken more as a directive that henceforth the Government should expect to produce the notes when called upon to do so. What the court intended is further obscured by the fact that although it spoke of preserving "the written notes taken on interviews with persons, accused or suspected of crime," the notes under consideration in this case were those taken by an FBI Agent during an interview with a person who eventually became a Government witness, although it is true that he had been a subject in the case when originally interviewed. To keep our notes on interviews with all persons, including potential witnesses would be a problem of dimensions quite different from those of keeping notes on interviews with suspects and subjects only.

The practice which we have followed successfully since the Jencks Act was passed and which was instituted after consultation with the Department is that in all usual cases of interview with a potential Government witness we destroy the rough notes of interview after the agent has prepared his final and complete memorandum on that interview. Our position is that the memorandum is the one and only complete record of the interview and that it is producible upon proper demand. By destroying the notes we are able to avoid the extra work and expense of continuing to file and otherwise maintain what is in the aggregate a great deal of useless paper. We prefer to continue this system.

An expression of your views on the significance of the opinion quoted above and the action which this Bureau should take on this basis, if any, would be appreciated.

38-61

July 29, 1960

To: [Redacted]
Director, FBI

Mail Supervisor, GS-4

Division of Assignment
Domestic Intelligence

b6
b7C

SUGGESTION

That the present procedure of deleting the character from investigative reports being disseminated in the 67 (Bureau applicant) and 77 (Departmental applicant) classifications be discontinued.

Referral/Consult

Current practice or rule (Include manual citation as well as facts) Manual of Rules and Regulations, Part II, Section 5, D5a (page 8), requires that the characters be deleted in 67, 77 (except Coast Guard Screening Appeal Board) and 118 classifications. The latter involves [Redacted]

Advantages of suggestion and annual savings (include basis for estimate)

At the present time, reports being disseminated in response to name check requests in the 67 and 77 classifications must be processed in accordance with the afore-mentioned rule and the characters either clipped from the reports or if Photostats are being prepared the characters must be blocked out. As a result, the reports being disseminated present a poor appearance and the procedure of removing these characters is time consuming.

Disadvantages of suggestion

There are no known disadvantages to this suggestion.

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(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States)

☒ Mr.

☐ Mrs.

☐ M

Signature and Title of Suggester

Recommendations and comments of Division Head It is recommended that this suggestion be considered by the Investigative Division relative to 77 classification reports and by the Administrative Division with regard to the 67 classification reports. Also that suggestion be acknowledged by the Training and Inspection Division.

(Do not write in this space - for Bureau use only)

EC-56

18 SEP 20 1960

2- RMB
PERS. FILES

67 SEP 28 1960

UNRECORDED COPY FILED IN

The Investigative Division has no objection to this suggestion. The Bureau by virtue of Executive Order and Departmental instructions is required to disseminate information to employing or interested government agencies. The current procedure of deleting the character from reports disseminated in many instances serves no purpose as it is usually apparent from the investigation reported in the details of reports that the applicant is a departmental applicant as his close friends and associates are aware applicant is seeking employment in the Department. Discontinuing this practice will ~~xxxxxx~~ save time and result in better appearance of reports disseminated. ^{a stamp is placed on} It is to be noted that/all reports disseminated ~~xxx~~ that the reports are confidential and are not to be construed as a clearance or nonclearance.

Ben

RECOMMENDATION OF THE ADMINISTRATIVE DIVISION

8/5/60

JPD:vle

Administrative Division agrees with the suggestion as it pertains to reports in Bureau applicant cases (67 classification). Many times interviews conducted in connection with Bureau applicants as set forth in the details of the report state that the person interviewed either does or does not recommend the applicant for a position with the FBI. In some instances such as Special Agent applicant investigations comments will be set forth that the individual being interviewed believes applicant has a strong desire to be a Special Agent, that he feels applicant would be an asset to the Bureau, or similar comments. If the applicant was hired by the Bureau, an outside agency which receives our applicant reports can very easily determine the employee's entry on duty date and the like by contacting the Bureau. If there is derogatory information in the reports which we disseminate on an applicant we did not hire, the reason for not hiring would be readily apparent in the reports. The reports on an applicant who is not hired and which reports do not contain derogatory information would raise a question in the mind of the outside agency as to why the particular person was not hired; however, there could be any number of reasons such as the applicant obtained other employment, we were not hiring at that particular time, or because of disqualifying information in a physical or memorandum which is not disseminated. [redacted] #1 Man in the Name Check Unit, which handles dissemination of Bureau reports, advises he is in agreement with the suggestion. Thus, no valid reason can be seen as to why the character of the report should be deleted prior to dissemination and the Administrative Division agrees with the suggestion of [redacted]

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✓ PERS. FILES

August 2, 1960

PERSONAL

[Redacted]

Federal Bureau of Investigation
Washington, D. C.

b6
b7C

Dear [Redacted]

I have received your suggestion that we discontinue the procedure of deleting the character from certain investigative reports which are disseminated. A careful study of your idea is being made and in the event it would be feasible to adopt it you will be advised.

The interest which prompted you to make your observations available to me is very much appreciated.

RECEIVED
AUG 11 1960
COMM-FBI

Sincerely yours,

J. Edgar Hoover

1-Mr. Belmont

RWB:meh (Suggestion (#30-61) dated 7/29/60)

(4)

NOTE: Referred to the Administrative and Investigative Divisions for views and recommendations.

REC-89

AUG 2 12 08 PM '60
REC'D-READING ROOM
FBI

12 SEP 21 1960

- Tolson _____
- Mohr _____
- Parsons _____
- Belmont _____
- Callahan _____
- DeLoach _____
- Malone _____
- McGuire _____
- Rosen _____
- Tamm _____
- Trotter _____
- W.C. Sullivan _____
- Tele. Room _____
- Ingram _____
- Gandy _____

SEP 27 1960

MAIL ROOM ☐ TELETYPE UNIT ☐

September 14, 1960

MEMO

[Redacted]
Federal Bureau of Investigation
Washington, D. C.

Dear [Redacted]

In further reference to your suggestion that we discontinue the procedure of deleting the character from certain investigative reports which are disseminated, I am indeed pleased to inform you that approval has been granted to place your idea into effect.

You have demonstrated a keen interest in streamlining this phase of the Bureau's work by making this worthwhile suggestion. I want you to know of my appreciation for having called this matter to my attention.

Sincerely yours,

J. Edgar Hoover

- 1 - Mr. Belmont
1 - Personnel File of [Redacted]
RWB:mgj (Suggestion #30-61)
(5)

NOTE:

Based on memo Malone to Mohr, dated 9/13/60,
RE: SUGGESTION #30-61, submitted by [Redacted]
Domestic Intelligence Division. RWB:mgj.

Mr. Tolson _____
Mr. Mohr _____
Mr. DeLoach _____
Mr. Belmont _____
Mr. Casper _____
Mr. Callahan _____
Mr. Conrad _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Mr. Holmes _____
Miss Gandy _____

50 SEP 28 1960

REC-89

EX 10

12 SEP 22 1960

FBI

REC'D-READING
b6
b7C

SEP 14 4 02 PM '60

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b6
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PERSONAL

Dead

I have received your suggestion concerning the initials of the stenographer or typist being carried on the FD-204 portion of a report. It is indeed a pleasure for me to advise you that your idea has been adopted. Necessary action is being taken to amend the Manual for Field Stenographer to require such initials when a different stenographer prepares the cover pages to a report.

You have clearly demonstrated your interest in improving Bureau procedures by making this worthwhile suggestion, and I want you to know of my appreciation for making your observations available to me.

Sincerely yours,
J. Edgar Hoover

1 - SAC, Washington Field
1 - Personnel file of [redacted]

RWB:bmw (Suggestion #174-61, dated 10-3-60)

NOTE: Suggests that the initials of the stenographer or typist be carried on the FD-204 (details of report) when the same person does not type the cover pages (FD-263) to the report. The Manual for Field Stenographer now indicates that the initials are not necessary on the

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 Tele. Room _____
 Ingram _____
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 Ingram _____
 Gandy _____

NOV 2 1960
 MAIL ROOM

NOTE: (Con't)

FD-204 portion of the report. There is no reason for not carrying the initials when one stenographer types the cover pages and another stenographer types the details of the report. Accordingly, it is felt that the Manual for Field Stenographer should be changed to require the initials of the stenographer on the FD-204 if a different stenographer prepares the FD-263 of the same report. Upon approval of this letter, appropriate manual changes will be made.

2-

Date

10/3/60

To:

Director, FBI

From:

Employee assigned to (Division)

Washington Field

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SUGGESTION

initials
That the ~~initials~~ of the stenographer/typist be carried on the FD-204. They could be typed immediately after the agent's name on the "report of" line. This would only be done when person typing details (FD-204) has not prepared cover pages (FD-263).

Current practice or rule (Include manual citation as well as facts)

"Initials are not necessary." (Section 3, page 6, C 7b - Manual for Field Stenographer)

Advantages of suggestion

When reports are long and involved, in order to get out the work more expeditiously, it is the policy to divide the work, one employee handling the cover pages (FD-263) and another employee handling the details (FD-204). Under the present system the initials of the stenographer appear in the initial block on the FD-263, thus identifying the employee typing that section of the report, but there is no provision made for initials to appear on the FD-204; therefore, when a different stenographer types the FD-204 and subsequent pages, there is no way to identify the employee. From an administrative standpoint, it would be helpful to have the stenographer/typist initials on the FD-204 to identify the employee typing that section of the report.

Disadvantages of suggestion

None known.

Annual Savings (Show basis for savings)

None

(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States)

☐ Mr. ☒ Mrs. ☐ Miss

Signature and Title of Suggester

Recommendations and comments of Division Head

3-Bureau It is recommended that favorable consideration be given
2-WFO this suggestion.

(1-Personnel file)
(1-Suggestion file)

Special Agent in Charge

Signature and Title

OCT 4 1960

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:

Office:

Date:

Field Office File #:

Bureau File #:

Title:

Character:

Synopsis:

ENCLOSURE

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

2510

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Mohr

DATE: 9/13/60

FROM : J. F. Malone

SUBJECT: JENCKS ACT
REPORT WRITING*Investigative Reports*

b6
b7C

Tolson _____
Mohr _____
Parsons _____
Belmont _____
Callahan _____
DeLoach _____
Malone _____
McGuire _____
Rosen _____
Tamm _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

An August 26, 1960 decision of the United States Circuit Court of Appeals for the Second Circuit (New York, Connecticut, Vermont) raises obliquely a report writing question of great potential importance to the Bureau.

Shortly after the passage of the Jencks Act, Assistant Attorney General [redacted] Criminal Division, agreed to the Bureau's position that in the usual case of an interview with a potential Government witness the agent's notes might be destroyed after the agent had prepared a full account of the interview in memorandum form. From the standpoint of complying with the Jencks Act, the Government is in a position to produce the memorandum as a full and complete record of the interview and to advise the court that the notes on which the memorandum was based have been destroyed. The practical advantage of this to the Bureau is in the fact that we avoid the continued handling, filing, etc., of all these notes and further, there is less chance of unfortunate discrepancy in testimony when we submit to the defense for cross-examination purposes only one complete record of interview (the memorandum) rather than both the complete record and the sketchy record represented by the notes.

The system of destroying the notes after the complete memorandum has been prepared has been working without a flaw until August 26, 1960, when the Second Circuit decided the as yet unreported case of United States v. [redacted] et al. This is a Bureau case - Theft From Interstate Shipment - in which the subjects were convicted and then appealed their conviction. The three judge bench of the Second Circuit upheld the convictions unanimously and thus rejected the defense contention that a mistrial should have been

- 1 - Mr. Parsons (Enc.)
- 1 - Mr. Belmont (Enc.)
- 1 - Mr. Rosen (Enc.)

DJD:hcv

(5)

62 SEP 29 1960

12 SEP 26 1960

66-2435-

NOT RECORDED
128 SEP 27 1960

ORIGINAL FILED IN 62-104029-622

Memorandum to Mr. Mohr
Re: Jencks Act
Report Writing

declared when the FBI produced only the memorandum of a pre-trial interview with a Government witness rather than both the memorandum and the notes, the latter having been destroyed. On this point, however, the court analyzed the Jencks Act and made the following statement:

"Both the words of the statute and the intent behind them combine to lend support to the view that 'statement' means a fairly comprehensive reproduction of the witness' words and does not include fragmentary notes, jottings, scraps or writings which are not 'substantially verbatim.' However, as a practical matter such a construction does not mean that notes of the type here made should be destroyed. Wherever the word 'substantially' is used, there will be a need for some judge to determine what is substantial. In this case he might well have held that these notes did not come within the statute. If so, production would not have been required. On the other hand, he might have found enough therein to warrant production. Borderline situations should be resolved by the trial judges and not by government agents. Hence, it would be the better practice to preserve the written notes taken on interviews with persons accused or suspected of crime."

b6
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The significance of the court's decision is that while the judges held unanimously for the Government in this case, they may now be expecting the Government to change its procedures and come up with the investigator's notes in the future. For this reason, we believe the decision should be called to the Department's attention immediately and a memorandum written for that purpose is attached.

RECOMMENDATION:

That the attached memorandum be sent to Assistant Attorney General Criminal Division.

am

V

Q

JPW
9/15

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EPB

gsm

#214-61

Date

10/20/60

b6
b7C

To: Director, FBI	From: (Suggester's name) [Redacted]	Division of Assignment CHARLOTTE
----------------------	--	-------------------------------------

SUGGESTION

FORM

1. That carbon be pre-inserted on FD-302 forms.

• Reports

Current practice or rule (Include manual citation as well as facts)

Carbon must be inserted by hand.

Advantages of suggestion and annual savings (include basis for estimate)

(See attached)

b6
b7C

Disadvantages of suggestion

None known.

(The use by the United States of my suggestion shall not form the basis of assigns upon the United States)

☐ Mr. ☐ Mrs. ☒ Miss

Recommendations and comments of Division Head

Idea appears to have merit since majority of the work in many of our investigative reports consists of FD 302s. This appears to represent possible great savings in stenographic time. I D. E. RONEY, SAC De Roney have no cost figures. Recommend consideration be given to suggestion.

(Do not write in this space - for Bureau use only)

REC-58

66-2435-25110

25 OCT 24 1960

OK 10/27/60
Bureau: lower

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Ba
11/13

In the majority of cases, FD-302's are prepared in the maximum number of copies (10). Under the present practice, the stenographer must count nine (9) sheets of carbon paper, ten (10) FD-302's, and then insert the carbon between the FD-302's. In cases where the FD-302 is only a half page long, or less, the entire body of the interview could be typed in the time required to count and insert the carbon paper.

It is believed that if the stenographers could be furnished such pre-inserted carbon sheets, this would save considerable stenographic time which would in turn increase production figures.

It is further believed that the expense of furnishing these pre-inserted carbon sheets would be off-set by the amount of stenographic time saved.

SAC, Miami

11/8/60

Director, FBI

✓
CLASSIFICATION OF REPORTS
MISCELLANEOUS - INFORMATION CONCERNING
(NATIONALITIES INTELLIGENCE)

REPORTS

Bureau has noted that in several recent reports submitted by your office in the Cuban field, these reports have been classified "Confidential" since the investigations involved originated on the basis of information furnished by a confidential source of continuing value and the disclosure of this source's identity would jeopardize the source's future effectiveness.

It is to be noted that the reports involved did not contain data received from the confidential source involved.

The above reason is not, in itself, a valid one for classifying a report. Reports should be classified based on the data set forth therein and should not be classified because the investigation was initiated based upon information received from a confidential source whose information was protected by classifying the report setting forth his information.

This matter should be called to the attention of all agent personnel.

JJD:afs
(5)

REC- 58
EX-136

66-2435-2512

NOV 9 1960

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Ingram _____
Gandy _____

MAILED 9
NOV - 8 1960
COMM - FBI

NOV 15 1960
MAIL ROOM ☒ TELETYPE UNIT ☐

92

SAC, Springfield (65-1379)

11/2/60

Director, FBI

SERIALIZING MAIL

Reurlet 10/25/60.

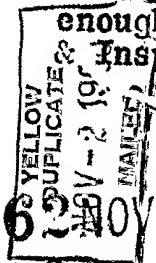
The Bureau does not feel that any exception should be made to existing regulations concerning the administrative handling by the sending office of copies of correspondence sent as enclosures to another office. The proposal you have submitted by referenced letter is not approved and you should continue to handle this type correspondence according to existing policy.

① - Bufile 66-2435 (Report Writing)

JVC:smr

(5)

NOTE: SAC Springfield proposed by relet UACB would file copies of inserts (other than FD302's) sent to another office as page(s) at the end of the correspondence transmitting the inserts. Existing regulations require that all enclosures be serialized by the sending office to maintain control. CCO Washington Field Office advises exceptions to the enclosures rule would cause undue confusion and suggested not giving favorable consideration since this is a very minor phase of operations which does not occur often enough to be of any great difficulty. Report writing desk, Training Inspection Division agrees.



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ORIGINAL FILED IN

DIRECTOR, FBI

10/25/60

SAC, SPRINGFIELD (66-1379)

SERIALIZING MAIL

REPORTS

As the Bureau is aware, the Field Offices utilize considerably more investigative inserts under the present report writing rules than were previously utilized. When an auxiliary office conducts investigation and incorporates the results of its investigation into an insert (not an FD-302 or OF-10) adequate copies of the insert are furnished the office of origin for inclusion in subsequent reports. A copy of the insert is then retained by the auxiliary office submitting the insert.

UACB the Springfield Office proposes in the future when forwarding investigative inserts (not FD-302s or OF-10s) to file the Springfield copy as a page(s) on the end of the communication forwarding it to the office of origin. This procedure will measurably reduce the clerical handling involved and eliminate having to serialize additional pieces of mail in each instance. Where two copies of the communication forwarding the insert to the office of origin are retained by Springfield, then one insert will be retained with each copy in order for the two copies of the serial to be identical.

2 - Bureau
1 - Springfield
FVH/es
(3)

66-2435-
NOT RECORDED
174 NOV 4 1960

NOT RECORDED
174 NOV 8 1960

ORIGINAL FILED IN 66-16263-141

MR. MOHR

October 25, 1960

MR. J. F. MALONE

REPORTS

INTERVIEWS - REPORT WRITING

BACKGROUND: Boston letter to Director dated 10/25/60 and SA [redacted] memo to SAC, Boston, same date, captioned [redacted] aka. et al. AIDA (Automobile Information Disclosure Act) summarizes testimony of SA [redacted] at the trial of [redacted] 10/24/60. The presiding judge questioned SA [redacted] as to Bureau instructions concerning advising subjects of the fact that they did not have to make a statement and that any statement made could be used against them in court. [redacted] had stated in response to a question from the judge that he could not swear to the fact that he had advised [redacted] of his rights at the time of an interview with him 2 years ago. [redacted] eventually answered the judge that there are existing Bureau instructions that require that subjects be so advised after the judge had repeated the question 3 times.

In his memorandum to SAC, Boston, [redacted] stated, "Since there is no statement in the SF-64 which I submitted in this case indicating specifically that I had warned [redacted] of his constitutional rights and knowing that the defendant's attorney would have access to this SF-64 and would undoubtedly raise this question in cross-examination, my reply to the judge when he raised this question was that while I believed I had warned [redacted] I could not swear to it. It is noted that the SF-64 submitted in this case reflects the result of an oral interview and is not a signed statement." In referring to this explanation by [redacted] the Director noted, "Shouldn't we specifically require it and have the report so reflect it?"

CURRENT PROCEDURE: Existing instructions in both the FBI Handbook and in the Manual of Instructions require that at the beginning of an interview with a suspect or person under arrest that he be advised that he does not have to make a statement and that any statement made can be used against him in court. The manuals further provide that at the beginning of an interview with a person under arrest he be advised of his rights to counsel. There is no requirement except when taking signed statements that it be made a matter of record that a person was so advised.

Enclosures (3)

1 - Mr. Parsons
1 - Mr. Callahan
JVC:mbk,wmj (11)

1 - Mr. Belmont
1 - Bufile 66-2435

1 - Mr. Rosen

1 - [redacted]

2 ENCLOSURE
NOV 9 1960

66-2435
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ORIGINAL COPY FILED IN 66-2435

Memorandum for Mr. Mohr
Re: Interviews - Report Writing

RECOMMENDATION :

That the attached SAC Letter and manual changes be approved for transmittal to the field requiring record of interview to reflect fact that subject or suspect was advised of his rights.

October 28, 1960

PROPOSED CHANGE IN MANUAL OF INSTRUCTIONS

Volume 1, Section 4B, 2, c should be changed to read as follows:

When a person has been advised of his rights as provided in c and d above, that fact should be recorded in the document reporting results of that interview.

NOTE: Based on memorandum to Mr. Mohr from Mr. Malone dated 10-28-60 captioned "Interviews - Report Writing, JVC:mbk, wmj"

① - Bufile 66-2435

JVC:mbk
(7)

66-2435-

ENCLOSURE

October 23, 1960

PROPOSED CHANGE IN THE FDI HANDBOOK

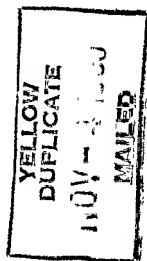
Part 2, Chapter 2, 2A (5) should be changed to read as follows:

When a person has been advised of his rights as provided in (2), (3), and (4) above, that fact should be recorded in the document reporting results of that interview.

① Bufile 66-2435

NOTE: Based on memorandum from Mr. Malone to Mr. Mohr dated 10-28-60 captioned "Interviews - Report Writing," JVC:mbk, *wmj*

JVC:mbk
(7)



66-2435
ENCLOSURE

October 27, 1960

PERSONAL

REC- 58

[REDACTED]
Federal Bureau of Investigation
Charlotte, North Carolina

Dear [REDACTED]

Thank you very much for your suggestion relative to preparing form FD-302 on paper having pre-inserted carbon. You will be interested to know that the same suggestion has been considered on several prior occasions and was not adopted because the expense involved in making the purchase would not be justified.

Although your idea is not being adopted in this instance, I want you to know that your interest in this matter is very much appreciated.

Sincerely yours,
J. Edgar Hoover

1 - SAC, Charlotte - This suggestion is not being adopted for the following reasons: 1 - Manifold paper with preinserted carbon paper costs \$2.00 per thousand. Regular paper is \$.80 per thousand and carbon is \$.52 per hundred sheets. The use of manifold paper with regular carbon is considered to produce far superior results as compared to the paper having preinserted carbons attached. Regular carbon paper may be used on an average of ten times for a good legible copy.

1 - Personnel file of [REDACTED]
RWB:bmw (Suggestion #214-61, dated 10-20-60)

(5)
NOTE [REDACTED] suggests that form FD-302 be prepared with preinserted carbon. Same suggestion was previously considered and not adopted for reasons indicated in the note to the SAC. This matter was last considered in January, 1960.

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Callahan _____
DeLoach _____
Malone _____
McGuire _____
Rosen _____
Tamm _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

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MAIL ROOM ☐ TELETYPE UNIT ☐

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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. A. H. Belmont *WBS*

DATE: October 3, 1960

FROM : Mr. F. J. Baumgardner *FJB*SUBJECT: SUGGESTION REGARDING REPORT
WRITING PROCEDURESALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 10/1/82 BY SP5 JIA/JP

of Investigative Reports

New York by letter 9-23-60 captioned "'National Guardian'; Weekly Guardian Associates, Inc., Internal Security - C, Internal Security Act of 1950" referred to the present Bureau policy of utilizing Bureau Form FD-302 in recording information received from bank records. New York pointed out it was considered more feasible to abstract pertinent information from the FD-302s and placing such information in reports rather than incorporating the entire FD-302s which contained much extraneous material. New York observed that there should be more leniency permitted the field in exercising its discretion in the manner of reporting information extracted from FD-302s and requested Bureau advice in this regard.

Present Policy - Part I, Section 48 B3, paragraph 2, page 36a, FBI Handbook and Part II, Section 4 C 2c, paragraph 2, page 4, Manual of Rules and Regulations (MRR) provide that when it becomes necessary to report information confidentially obtained, such as bank or telephone records, which can be brought into court only by a subpoena duces tecum, the reporting of the information is accomplished by placing it on an FD-302.

Current Practice - In security cases, principally organizational cases bank accounts are monitored on a regular monthly basis. Some of the information obtained is of a possible future evidentiary nature while most of the information is strictly of an intelligence nature. Much of the information obtained in monitoring one bank account is pertinent to several other investigations pending in the field office. Under present policy the agent has to prepare an FD-302 for the file of the subject bank account and a separate FD-302 for each case file on which pertinent information was noted. In most instances the FD-302s prepared for the other case files will contain data concerning only one or two checks issued.

In reporting this information in report form, the

- 1 - Training and Inspection
- 1 - Mr. Belmont
- 1 - Mr. Baumgardner
- 1 - Section Streamlining Committee
- 1 - Mr. Kleinkauf
- 1 - 100-7254 (Communist Front Organizations)
- 1 - 100-357044 ("National Guardian")

JHB:mah (8) 1060

Tolson _____
 Mohr _____
 Parsons _____
 Belmont _____
 Callahan _____
 DeLoach _____
 Malone _____
 McGuire _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Holmes _____
 Gandy _____

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5 NOV 9 1960

10/17/60

JUC: LK

2-Juc

Memorandum for Mr. Belmont
Re: Suggestion Regarding Report
Writing Procedures

agent inserts the FD-302s in his report. Some security cases are prepared on an annual basis; some on a 60-or 90-day basis; and organizational cases are prepared, for the most part, on a six-month basis. Therefore the agent may have numerous FD-302s to insert, each with only one or two lines on a page. There may be as many as 20 pages of FD-302s to a report where if the data was extracted from channelizing memoranda and consolidated on consecutive pages of the report, as the practice used to be, only six pages would be needed to handle the reporting of the information. The result would be a saving of 14 pages to the report. In an organizational case, a minimum of 10 copies of a report are prepared (5 for the Bureau, 2 for the office of origin, and 3 for the local intelligence agencies). Therefore, in one report in one case there would be a saving of 140 pages.

In addition there appears to be no need for an FD-302 regarding bank information as bank records are confidential; the information contained therein can be produced only by a bank official upon the issuance of a subpoena duces tecum; and an agent could not testify to the information for if he did the bank could be open to a court suit and the Bureau to criticism for the bank's furnishing the information without the consent of the depositor.

Observation - It is believed New York's observation has merit and to make for a more practical and economical operation it is believed consideration should be given to changing the present report writing rules in this regard to exclude the use of FD-302s in recording bank information in security cases, or at least in security organizational cases.

Recommendation - It is recommended this memorandum be referred to the Training and Inspection Division for further study and appropriate action in connection with New York's request. New York's letter 9-23-60 has been acknowledged by Bulet of 9-30-60 under the "National Guardian" caption and New York was advised that the problem posed was under consideration and New York would be advised of the results.

7/9/61/ewc/k

Att
Be

November 9, 1960

PERSONAL

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REC-26

66-2485-2514

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Federal Bureau of Investigation
Chicago, Illinois

Dear [REDACTED]

Your Special Agent in Charge has forwarded to me your suggestion that the instructions concerning the preparation of Form FD-204 be revised. It is indeed a pleasure for me to inform you that your idea has been adopted and that necessary action is being taken to place your idea into effect.

You have clearly indicated your interest in streamlining our report writing procedures. I very much appreciate the thoughtfulness which prompted you to call this matter to my attention.

Nov 9 3 59 PM '60
REC'D-READING ROOM
FBI

Sincerely yours,

J. Edgar Hoover

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MAILED 9

NOV - 9 1960

COMM-FBI

1 - SAC, Chicago
1 - Personnel file of SA [REDACTED]

RWB:bmw (Suggestion #241-61, dated 10-27-60)

(5)
NOTE: SA [REDACTED] suggested that the instructions concerning the preparation of Form FD-204 be modified so that only the file number will appear in the space captioned, "Field Office File#". He pointed out that the sample of the form in the Manual for Field Stenographer also provides for indicating the name of the office. Since the name of the submitting office is indicated in the space captioned "Office", SA [REDACTED] feels that the sample in the manual should be corrected to eliminate repeating the name of the office after the caption "Field Office File #".

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Callahan _____
DeLoach _____
Malone _____
McGuire _____
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W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

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(OVER)

NOTE: (con't)

The Manual of Rules and Regulations requires that the submitting office ~~shall~~ indicate its file number in the space "Field Office File #." The sample in the manual implies that the name of the office should also be indicated with the file number. This is unnecessary since the form also called for the name of the office as a separate item. Adoption of this idea will eliminate typing the name of the office in front of the file number each time FD-204 is prepared. For your information, Form FD-204 is used as the first page in our reports. A copy of this form is attached to the suggestion. Upon approval of this letter the sample in the Manual for Field Stenographer will be revised to delete the name of the office in the caption, "Field Office File #."

972

#241-61

Date

October 27, 1960

To:

Director, FBI

From: (Suggester's name)

SA (A) [REDACTED]

Division of Assignment

Chicago

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SUGGESTION

FD Form 204, in reports from various offices checked, usually reflects full or abbreviated identity of submitting office as well as file number of case in space captioned "Field Office File Number" even though identity of submitting office also is shown on FD 204 in space captioned "Office". It is suggested that FD 204 instructions be modified so just the file number will appear in the space captioned "Field Office File Number". Sample FD 204 in Manual for Field Stenographers should be corrected in this regard.

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Current practice or rule (Include manual citation as well as facts)

Sample FD 204 in Manual for Field Stenographers (Section 3) reflects following: Field Office File Number-Seattle 91-9000 Office-Seattle, Washington

Advantages of suggestion and annual savings (include basis for estimate)

Reduction in typing time of FD 204. Annual savings estimate not readily obtainable.

Disadvantages of suggestion

None apparent.

(The use by the United States of my suggestion shall not form the basis of a further claim of any new invention or discovery which I may make or which may be made by others upon the United States)

☒ Mr.

☐ Mrs.

☐ Miss

Special Agent (A)
[REDACTED]

Signature and Title

Recommendations and comments of Division Head

Appears this suggestion would further streamline FD-204 without jeopardizing clarity of its contents. Recommend consideration at time of next printing additional forms.

J M Labe
SPECIAL AGENT IN CHARGE

(Do not write in this space - for Bureau use only)

*ack 11/9/60
enc. 1
ENCLOSURE*

REC-26

66-2435-2514

NOV 4 1960

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

Report of:
Date:

Office:

Field Office File #:

Bureau File #:

Title:

Character:

Synopsis:

66-2435-2514

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ENCLOSURE

Mr. Malone

10/17/60

H. L. Edwards

**SUGGESTION REGARDING
REPORT WRITING PROCEDURES**

Investigative Report

Memorandum of Mr. F. J. Baumgardner to Mr. Belmont, dated October 3, 1960, set forth the recommendation that the Training and Inspection Division study a problem in report writing as it pertains to security-type reports and to institute appropriate action based on a request of the New York Office by their letter dated 9/23/60 captioned " 'National Guardian'; Weekly Guardian Associates, Inc., Internal Security - C, Internal Security Act of 1950."

The New York Office requested that the field be allowed more leniency in exercising its discretion in the manner of reporting information which was confidentially obtained from bank records in security-type cases. New York Office pointed out that by preparing original FD-302s (the forms utilized for reporting information which may become testimony and inserted in our investigative reports), as is now required and subsequently inserting copies of these FD-302s in investigative reports was resulting in reports containing many pages which might better have been condensed into a few. New York pointed out that in one report 80 pages of material contained in 50 FD-302s was extracted and reported on 6 pages in regular fashion. They received an error form (Buform 0-17) for reporting this information contrary to existing instructions.

Current procedure, as set forth in FBI Handbook, Part I, Section 48 B3, page 36a, states that when reporting confidentially obtained information of record such as bank or telephone records which can be brought into court only by subpoena duces tecum, it is accomplished by putting it on an FD-302 which should contain (a) type of information available; (b) the fact that it can be obtained only by subpoena; and (c) the name of the person to be subpoenaed. Cover pages to the Bureau contain the name of the person who gave the information to the Bureau Agent.

The Baumgardner to Belmont memo sets forth further justification for allowing extraction of material from FD-302s in instances of this type and additionally points out the fact that the original bank records would be produced upon issuance of a subpoena duces tecum. The likelihood of production of an FD-302 would be negligible. This memo recommended exclusion of the use of FD-302s in security-type cases in recording information of this type.

6-24 NOV 18 1960
1 - Mr. Baumgardner
(1 - (66-2485)

JVC:jh (5)

SEE ADDENDUM PAGE 3.

ORIGINAL COPY FILED IN

Memo to Mr. Malone

Re: Suggestion Re Report Writing Procedures

The Legal Research Desk of the Training and Inspection Division observes that if an original FD-302 is prepared concerning confidentially obtained information of record and copies of this FD-302 are channelized to the various individual files, there appears to be no reason why information from this FD-302 could not be extracted and reported in regular fashion. Inasmuch as security matter type cases seldom go to prosecution, and in the event any would go to prosecution, the original FD-302 could be appropriately blanked out after judicial review, where it pertains to an individual or individuals not on trial. This would still be within the provisions of Title 18, Section 3500, U. S. Code (the so-called Jencks Law).

The Training and Inspection Division has no objection to allowing the field, in security matter cases, to extract from FD-302s reporting confidentially obtained information of record that portion of the information on the FD-302 which is pertinent to the case being reported.

The initial information, however, should be recorded on an FD-302 and the original maintained in such a fashion that it could be produced if necessary. In the reporting procedure, the cover page should indicate the location of the original FD-302 as well as the source of information.

RECOMMENDATIONS:

1. That this memorandum be referred to the Domestic Intelligence Division to determine if there is any objection on the part of that Division to making this allowance to the field.

2. After review by Domestic Intelligence Division, that they return this memo and referenced communications with their recommendations to the Training and Inspection Division for appropriate action.

ADDENDUM:

DOMESTIC INTELLIGENCE DIVISION

October 20, 1960

This matter has been reviewed and there is no objection on the part of the Domestic Intelligence Division.

JH:fl:

UNITED STATES

Memorandum

TO : Mr. Mohr

FROM : J. F. Malone

SUBJECT: REPORT WRITING -- SECURITY MATTER CASES
CONFIDENTIALLY OBTAINED INFORMATION
OF RECORD*REPORTS*Comp. #224,554
DATE 10/1/62
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
BY SP5/MLA/vpTolson
Mohr
Parsons
Belmont
Casper
DeLoach
Malone
McGuire
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Ingram
Gandyb6
b7cPRESENT POLICY:

Part I, Section 48B3, paragraph 2, page 36a, FBI Handbook, and Part II, Section 4C2c, paragraph 2, page 4, Manual of Rules and Regulations, provide that when it becomes necessary to report information confidentially obtained, such as bank or telephone records, which can be brought into court only by a subpoena duces tecum, the reporting of the information is accomplished by placing it on Form FD-302.

CURRENT PRACTICE:

In security matter cases, bank accounts are monitored on a regular basis. Some of the information obtained is of a possible future evidentiary nature, while most of the information is of an intelligence nature. When the information may become testimony, it is recorded on Form FD-302 in accordance with existing instructions. Separate FD-302s are prepared for the file of the subject bank account and separate FD-302s for each case file on which pertinent information is noted. When a report is prepared, many one or two sentence FD-302s are incorporated therein as a result.

OBSERVATIONS:

The field has pointed out, and Domestic Intelligence Division has concurred, that since security matter cases seldom go to criminal prosecution, the likelihood of need of the individual FD-302s would be remote. It has been suggested that the field be allowed to extract from the original FD-302 prepared on subject bank account, copies of which would be channelized to pertinent individual case files, and report the information in regular pages of a report. An analysis of the problem by Domestic Intelligence and Training and Inspection Divisions reveals that this allowance could be granted in the interest of brevity, clarity and economy.

The Legal Research Desk of the Training and Inspection Division observes that if an original FD-302 is prepared concerning confidentially obtained information of record, and copies of this FD-302 are channelized to the various individual files, there appears to be no reason why information from this FD-302 could not be extracted and reported in regular fashion. Inasmuch as security matter type cases seldom go to prosecution and in the event any would go to

Enclosure sent 11-8-60

1 - Mr. Belmont
1 - Mr. Baumgardner
JVC:lh
(6)1 - (100-357044) ('National Guardian')
1 - (100-7254 (Communist Front Organizations))
NOV 15 1960100-357044-
100-7254-

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REC-14 66-2435-2515

Memo to Mr. Mohr

Re: Report Writing - Security Matter Cases
Confidentially Obtained Information of Record

prosecution, the original FD-302 could be appropriately blanked out after judicial review where it pertains to an individual or individuals not on trial. This would still be within the provisions of Title 18, Section 3500, U. S. Code (the so-called Jencks law).

RECOMMENDATION:

That the attached SAC Letter be approved. Manual changes will be handled separately.

Manual changes made - no memo
JVC.
first

epc
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anbr &

HW
11/7

ST 11/7

[Signature]

MA
Alex I. Director,
Federal Bureau of Investigation

Roger G. Connor, Executive Assistant
Criminal Division

RGC:bac

29-100-1648

[redacted] et al. v. United States, (Supreme Court,
1960, No. 53).

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Reports

Pursuant to our conversation of October 27, 1960, please find enclosed two copies of the brief for the government in the above captioned case.

As you know, I have been assigned to argue this case in the Supreme Court a few weeks hence.

Reduced to its essentials the case concerns 18 U. S. C. Sec. 3500, and the question of the producibility of an FBI report where the notes taken by the FBI agents at the time of the interviewing of a witness were no longer in existence at the time of the trial. At trial the defense counsel contended that he was entitled to see the agent's report of interview, even though that report is not a "statement" within the terms of Sec. 3500.

In the brief filed for the petitioners in the Supreme Court an attack is made on the practice of destroying the notes of an interview, the brief claiming that this can lead to evasion of the statute by the government. It is anticipated that in the course of argument the Supreme Court will inquire about FBI investigative practices and procedures, particularly the destroying of notes made by agents in interviewing witnesses. Although this might call for information outside the record in this case, it would be most helpful to be able to state authoritatively, in answer to such questions, the procedures that do in fact obtain. I believe that an important part of the argument will turn upon the reasons for destroying or retaining such notes.

On this issue I plan to present a practical argument based on the realities of criminal investigation, pointing out the circumstances under which the notes of agents are kept, as well

File 66-2435

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128 NOV 18 1960

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52 NOV 18 1960

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as those where they need not be kept. It will also be necessary to rebut any notion that the FBI and the Department of Justice are in any way trying to evade the statute by calculated procedures.

In order to satisfy the court that every effort is made by the FBI and the Department of Justice to comply with Sec. 3500 it would be indeed appreciated if the Bureau could furnish answers to the following questions:

1. What criteria are used by agents in determining whether to seek a full written statement from a witness, or merely to take notes of an interview?
2. What are the standard practices employed in writing and filing reports of interviews?
3. Under what conditions are the notes of agents destroyed?
Who makes such a determination?
4. Under what conditions are notes of agents retained?
5. Are there situations where it is mandatory for an agent to retain his notes?
6. What measures has the FBI taken to insure compliance with Sec. 3500 since its enactment?
7. Are there standing instructions and orders to agents in connection with any of the above questions?
8. Are agents instructed in these matters as part of their original training program and their later in-service training?
9. Is there any other information that would be helpful in preparing for argument?

Although I am aware of the usual methods employed by the FBI, and many of the reasons underlying them, the above questions are propounded to insure that I have not overlooked any important considerations.

Enclosure

66-2495-2566

November 16, 1960

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PERSONAL

10/24

[Redacted]
Federal Bureau of Investigation
Memphis, Tennessee

Dear [Redacted]

Your Special Agent in Charge has forwarded to me your suggestion that Form FD-302 be prepared with preinserted carbons and distributed to all field divisions. I am sure you will be interested to know that similar ideas have been considered in the past and were not adopted because of the cost factors involved in having the form prepared as suggested.

Although favorable action is not being taken on your idea in this instance, I want you to know that your interest in this matter is very much appreciated.

NOV 16 5 35 PM '60
REC'D-READING ROOM
FBI

MAILED 31

NOV 16 1960

COMM-FBI

Sincerely yours,

J. Edgar Hoover

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- 1 - SAC, Memphis
- 1 - Personnel file of [Redacted]

RWB:bmw(Suggestion #249-61, dated 11-9-60)
(5)

NOTE: Suggests that Form FD-302 be prepared with preinserted carbon paper to be distributed to all field divisions. A number of identical suggestions have been considered in the recent past and were not adopted because of the expense involved, one of the primary factors being that individual sheets of carbon paper may be used a number of times whereas it would only be possible to use Form FD-302 with preinserted carbons once. In view of the prior consideration given to this matter, it is not felt that any further action is necessary at this time.

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Malone _____
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Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐

#249-61

Date

11-9-60

To:
Director, FBI

From: (Suggester's name)

Division of Assignment

Memphis

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SUGGESTION

It is suggested that FD-302 forms be distributed to FBI Field Offices with carbon paper assembled between the copies. It is further suggested that the packets of FD-302's be assembled in different numbers of copies. It is suggested that this assembling be similar to daily work sheets of stenographers (FD-76) at present.

NOV 14 1960

Current practice or rule (Include manual citation as well as facts)

Insert a sheet of carbon paper between each of maximum number of loose sheets of FD-302.

Advantages of suggestion and annual savings (include basis for estimate)

A tremendous amount of time could be saved each day by this suggestion. The cost of carbon paper is not known to this employee, therefore, it is not possible to estimate the annual savings of this suggestion. However, it is believed that a cheaper grade of carbon paper could be used, thereby saving a great deal of more expensive carbon.

Disadvantages of suggestion

The carbon paper in the packet form would be disposed of after one use. However, at present a sheet of carbon paper is seldom used more than twice.

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(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States. I understand that I will be considered for any justified award only if my suggestion is adopted within two years after submission.)

☐ Mr. ☐ Mrs. ☒ Miss

stenographer

Signature and Title of Suggester

Recommendations and comments of Division: Following is recommendation of SAC M. W. JOHNSON
Memphis, and Inspector [redacted] There is no question but that [redacted]

[redacted] suggestion has merit from a time-saving standpoint. However, unfavorable recommendation is made as it is believed the cost of the material and the limited use of the carbon paper would [redacted]
(See continuation sheet)

Signature and Title

(Do not write in this space - for Bureau use only)

REC 101

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(Recommendations and comments of Division Head - Cont'd.)

make this prohibitive.

Since this suggestion was received when [redacted]
[redacted] was not available, she has not been personally thanked
by Inspector [redacted] but was personally thanked by SAC JOHNSON.

It is recommended that a letter of appreciation
be directed by the Bureau to this employee.

b6
b7C


Special Agent in Charge

[redacted]
Inspector

Assistant Attorney General
Malcolm Richard Wilkey, Criminal Division
Attention: Roger G. Connor, Executive Assistant
Director, FBI

November 17, 1960

bn
CAMPBELL ET AL v. UNITED STATES
(SUPREME COURT, 1960, NO. 63)

Reference your file 29-100-1648.

Report Writing

Reference is made to the memorandum of Mr. Connor to Mr. Rosen, Assistant Director, FBI, received in this Bureau October 31, 1960, wherein you request answers to certain questions which may be of assistance in your presentation of the Government's case to show that every effort is being made by the FBI and the Department of Justice to comply with the provisions of Title 18, Section 3500, U. S. Code (the so-called Jencks Law).

In the following paragraphs, we have set forth your question and immediately followed thereafter with the answer.

1. Question - What criteria are used by Agents in determining whether to seek a full written statement from a witness or merely to take notes of an interview?
Answer - Agents are instructed to seek signed statements from a witness in all important matters, as determined by the following criteria:

- a. The extent to which the person being interviewed is implicated, if at all. Whenever possible, confessions are reduced to writing and prepared in first person in the language of the interviewee and, if feasible, in his own handwriting.
- b. Complexity of the information furnished and the likelihood that the witness may not be able to recall this information accurately at some future date without benefit of a written statement.
- c. The possibility that the witness may not adhere to the story given on interview when he is called to testify as a witness in court.
- d. All written statements must be given ~~freely and voluntarily~~ and the willingness or unwillingness of the witness to do so must be taken into account in each instance.

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Parsons _____
Belmont _____
Callahan _____
DeLoach _____
Malone _____
McGuire _____
Rosen _____
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W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

52 NOV 25 1960
JVC:lh;hcv;wmj (7)
66-2435

Based on memo Mr. Malone to Mr. Mohr
11/17/60

1 - Mr. Rosen (Sent separately)

Bank Robbery, "

JVC:lh;wmj

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ORIGINAL CONTAINED IN 91 - 10242 - 94

Letter to Assistant Attorney General

Re: [redacted] et al. v. United States (Supreme Court,
1960, No. 53)

2. Question - What are the standard practices employed in writing and filing reports of interviews? Answer - Under the guidance and counsel furnished by Assistant Attorney General [redacted] in June, 1957, and subsequent instructions from Departmental attorneys, the following procedures were instituted: If the witness gives the signed statement requested of him, that is the report of interview and is retained in its original form for production in court should the defense request it. It is filed in a separate envelope in the case file to which it pertains. Reports of interview with potential witnesses, suspects or subjects, the results of which may become testimony, in those cases in which the person interviewed will not give a signed statement, are recorded on a form for information that may become testimony, FD-302 (copy attached). The Bureau has a strict and inviolate rule that the interviewing Agent must dictate from his notes or prepare a typewritten rough draft from these notes on the results of each interview within 5 working days of the date of interview. The stenographer or typist then has 5 working days to transcribe the Agent's dictation or rough draft in finished form on the FD-302.

Depending on the number of copies of an investigative report which will later be assembled, the stenographer will prepare an original and the designated number of copies of each report of interview. These are all sent to the dictator who compares the finished product with his notes taken at the time of interview. If he is satisfied that the FD-302 is an accurate reproduction of his dictation, he will initial the original FD-302 next to the space where his name appears on the form. If corrections have to be made, the Agent notes them and sends all copies back to the stenographer for corrections.

The original FD-302 is then placed in the case file of the subject matter of the interview, and is treated like a signed statement; that is, it is not mutilated or changed in any fashion other than to give it a serial number which helps to maintain control of this original report of interview in order that it will be readily available to produce in court should the case go to trial. The carbon copies of this FD-302 are maintained in a special envelope in the subject matter file and when an investigative report is written at a later date, these copies are inserted as pages of this report in logical sequence.

If the case goes to trial, all original FD-302s and signed statements connected with this case are turned over to the prosecuting U. S. Attorney in order that they will be readily available if the defense should request them at the proper time in the trial. To eliminate confusion and delay in the trial, basic rules have been established to reduce the frequency with which it will be necessary for the Government to request judicial review in chambers as provided by Title 18, U. S. Code, Section 3500, and the excising of nonpertinent information from the Form FD-302 before it is turned over to the defense. For example: -

Letter to Assistant Attorney General [redacted]
Re: [redacted] et al. v. United States (Supreme Court,
1960, No. 55)

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- a. Each interview is recorded on a separate form.
- b. If information pertains to different subject matters, separate FD-302s are prepared on each and filed in pertinent files.
- c. The name and address of the person being interviewed are set forth in the first paragraph of the original FD-302. Date of interview, place and name of interviewing Agent are shown on the bottom of the first page of Form FD-302.

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3. Question - Under what conditions are the notes of Agents destroyed? Who makes such a determination? Answer - Agent's notes on interviews with potential witnesses are destroyed after the full and complete report of interview or memorandum has been dictated, transcribed and returned to the Agent for comparison as to the accuracy of transcription. This procedure was approved by Assistant Attorney General [redacted] on June 20, 1957, shortly after the Supreme Court decision on *Jencks v. United States*.

4. Question - Under what conditions are notes of Agents retained? Answer - Based also upon the approval of [redacted] on June 20, 1957, Agents have been instructed that under special circumstances, and then only with the approval of the special Agent in Charge, may they retain their notes. Such circumstances would exist for example when a subject confesses orally but refuses to put the confession in writing.

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5. Question - Are there situations where it is mandatory for an Agent to retain his notes? Answer - Yes. Agent's notes of a precise character made to record his own findings must be retained. These are accountants' work papers and notes covering such matters as crime scene searches, laboratory examinations and fingerprint examinations, where the Agent, not a third party, is the witness.

6. Question - What measures has the FBI taken to insure compliance with Section 3500 since its enactment? Answer - Since enactment of Section 3500, the FBI has held conferences with Department personnel for the purpose of learning the meaning of key phraseology in the act and judicial decisions construing the act. The information thus obtained is brought constantly to the attention of new special Agents of the FBI during their original training, experienced Agents during In-Service training, and to the attention of Agents in the field.

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Position -
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Director -
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Agent -
Special Agent -
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Letter to Assistant Attorney General

Re: [redacted] et al. v. United States (Supreme Court,
1960, No. 53)

The FBI has also developed and put into use in all offices the referenced Form FD-302 which, as shown above, is calculated to make an instantly producible record of each interview, dictated while the subject matter of the interview was still fresh in the Agent's mind and transcribed while the notes of dictation were still fresh on the stenographer's books and verified immediately thereafter as to accuracy by the Agent who dictated the contents of the memorandum. Strict adherence to the rules of dictation, transcription, verification of accuracy, and use of the FD-302 generally are required of all FBI investigative and clerical personnel. Additional regulations on careful preservation of the original of each FD-302 guarantee that, insofar as the FBI is concerned, it is readily producible upon proper demand.

7. Question - Are there standing instructions and orders to Agents in connection with any of the above questions? Answer - Yes, there are standing instructions to FBI personnel on each separate phase of the use and preparation of the FD-302 and each investigative and clerical employee is required to be fully conversant with the application of these rules to his functions. The instructions as to the retention or disposition of notes are answered in 3, 4 and 5 above.

8. Question - Are Agents instructed in these matters as part of their original training program and their later In-Service training? Answer - From the inception of the training of new Agents on Bureau rules and regulations and on techniques of interviewing and report writing, [redacted] plays an important part. The law is thoroughly explained to them and the importance of compliance is firmly entrenched in their minds. In-Service training is held on a continual basis along with annual training sessions in each field office wherein a special session is devoted to the discussion and re-emphasis of the provisions of Title 18, Section 3500, U. S. Code.

9. Question - Is there any other information that would be helpful in preparing for argument? Answer - We call your attention to the fact that note taking in criminal investigation is a function which varies widely by type of investigator, nature of crime being investigated and other factors too numerous to mention. No two investigators will take notes in the same way, either in quantity or quality, and no two criminal cases are the same. For that matter, no two persons being interviewed are the same.

During a conference on November 16, 1960, between Messrs. Alex Rosen and Alan H. Belmont of this Bureau and Messrs. [redacted]

Letter to Assistant Attorney General [redacted]
Re [redacted] et al. v. United States (Supreme Court,
1960, No. 53)

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and [redacted] of the Department, [redacted] reaffirmed the Department's position relative to the handling of notes made during an interview. He said that the Bureau's position should be in accordance with the Department's instructions that the Agents destroy such notes after the results of interview have been reduced to writing in report form and such report has been transcribed and approved.

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[redacted] reiterated that the exceptions remain in effect; namely, where the notes were of precise character, such as accountants' work papers, crime scene searches, laboratory examinations and fingerprint examinations, to permit the Agent to testify as to his findings, they should be retained. In those instances where special circumstances suggest the retention of the notes, such as when a subject confesses orally but refuses to put the confession in writing, they may be retained with the specific approval of the Special Agent in Charge.

[redacted] stated that the notes made during an interview were for the sole purpose of assisting the Agent in reducing the results of the interview to writing in report form; that this report constitutes the record of the interview and the investigative notes serve no purpose once they have been used to assist in preparing the report.

If there is any further information which this Bureau might be able to furnish to assist you in this matter, please do not hesitate to notify us. There is enclosed the copy of petitioners' brief which you requested be returned to you.

Enclosures (2)

11/8/60

SAC LETTER NO. 60-52

0
Reports

(C) REPORT WRITING - SECURITY MATTER CASES -- When recording confidentially obtained information of record which may become testimony, Form FD-302 should be used in accordance with existing instructions and filed in the subject case file of the monitored record. Copies of this FD-302 should be channelized to the pertinent individual or organizational case files. It will no longer be required that individual FD-302s be prepared for each separate file involved.

When a report is prepared, it will be permissible to extract that information from the original FD-302 which is pertinent to the subject matter of the report and set it forth on regular pages of the report. You should continue to include a statement that information reported can be made available only upon the issuance of a subpoena duces tecum, and the identity of the person to be subpoenaed should be set forth.

Cover pages should show the location of the original FD-302 as well as the source of information as concealed by T symbol. Manual changes follow.

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SAC, Dallas (66-1486)

11-29-60

REC-33

Director, FBI

66-2435-2517

EX-105

SUGGESTIONS

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Reurlet 11-16-60 requesting Bureau comments on two suggestions previously submitted by Chief Clerk [redacted]

With regard to the suggestion that a change be made in the rules for assembling reports, this idea was not adopted for the following reasons: (1) The present system insures receipt at supervisory desk of all related matter in one package and this is completely workable. (2) The current system presents no problems and to change it would require one type of assembly for the Seat of Government and another type for field offices, which would complicate procedures. Inquiry made in the past has failed to reveal any real advantage to be gained by adopting the suggested procedure of assembling reports. For these reasons, the Bureau disapproves of this idea.

Concerning [redacted] suggestion that manifold carbon paper sets be used for all copies of reports, letters, airtels and for file copies, the Bureau objects to the exclusive use of carbon paper sets because of the expense involved. Carbon paper sets are \$2.90 per thousand and regular paper is \$.80 per thousand and regular carbon paper is \$.52 per hundred sheets. Another important factor is that regular carbon paper can be used on an average of ten times for a good legible copy, whereas carbon paper sets can be used only once. The Bureau has recently been making limited quantities of the carbon paper sets available to field divisions but it would not be economically sound to eliminate the use of individual sheets of carbon paper.

The Bureau's reasoning for not adopting these suggestions should be explained to [redacted]

RWB:bmw;pls;bmw

(4)

NOTE: The suggestion concerning the assembling of reports was disapproved based on a memorandum from Mr. Tamm to Mr. Tolson dated

4-6-59.

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Callahan _____
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The suggestion concerning carbon paper sets has been considered a number of times in the past and the sets are only being made available in limited quantities because of the expense involved in using them exclusively. Administrative Division, advised that they recently started the practice of making limited quantities of this material available to field offices upon request.

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UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 11/16/60

FROM : SAC, DALLAS (66-1466)

SUBJECT: SUGGESTIONS

REPORT WRITING

The following memorandum from [redacted] Chief Clerk of the Dallas office, is being brought to the Bureau's attention for possible favorable consideration.

"Continuing observation during the past year leads me to call to the Bureau's attention two suggestions from this office which I feel merit favorable consideration at this time. The suggestions were submitted by Chief Clerk [redacted] and were dated 2/10/59 and 3/5/59."

"One has to do with the assembling of reports as provided by MRR II, 8, 1a. The suggestion was that the unusual assembling and stapling be limited to Bureau copies of reports, and that the normal left corner stapling be permitted for field office copies. During the interim, the handling of reports on the desk and observation of clerical employees handling such reports in blockstamping, charging out serials, etc., lead me to the definite conclusion that extra time is being expended. Always it has been possible to handle mail from the upper left corner, and all mail except reports may still be so handled. Under the present system of report assembling, however, when handling a report from the upper left corner only the cover page is affected, then the report itself, then the informant page. I feel that it is definitely to the best interest of the Bureau to limit the special assembly to SOG copies, where dissemination, etc., may make it desirable. It serves no useful purpose in the field so far as this office has determined and complicates normal handling of the mail."

"This office has been utilizing pre-inserted-carbon white and blue manifold paper since the submission of the second suggestion. It has been found to be an invaluable time-saver. Stenographers who use such carbon feel that it saves no less than 30% of their time. They are enthusiastic about it, and I feel that it may be a definite factor in the unusual production record of the pool. I am of the opinion that it is something of which the field generally should be apprized, and that the suggestion itself is one which would result in such material saving that the employee is entitled to consideration."

2 - Bureau
1 - Dallas
(COL:mfr)
(3)

REC-33

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THREE

DL #66-1466

Bureau comments are respectfully requested. It is to be noted the Steno Pool of the Dallas Office has been averaging approximately 4 pages per hour per day. During the recent Inspection, the average was 4.2 pages per hour per day.

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(J7)
(F)

(Typed October 28, 1960)

PERSONAL ATTENTION

0 *Investigative Reports* -

Letter to All Special Agents in Charge:

RE: INTERVIEWS - REPORT WRITING

Dear Sir:

A recent incident occurred wherein a Special Agent, while being questioned by a Federal Judge during his testimony in court, was unable to recall whether or not he had advised the defendant during an interview two years before of his right not to make a statement and the fact that any statement he made could be used against him in court.

The Manual of Instructions, Volume 1, Section 2B, 2 (c and d) and the FBI Handbook, Part 2, Chapter 2, 2A, (2), (3), and (4) provide certain requirements in conducting interviews with suspects or subjects. In the future when following these provisions, the fact that a suspect or subject has been appropriately advised should be included in the document reporting the results of the interview with that suspect or subject. Manual changes are forthcoming.

Very truly yours,

John Edgar Hoover
Director

① - Bufile 66-2435

NOTE: Based on memorandum from Mr. Malone to Mr. Mohr dated 10-28-60 captioned "Interviews - Report Writing," JVC:mbk, wnj

JVC:mbk
(6)

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ENCLOSURE

66-2435-2979
ORIGINAL COPY FILED IN

Mr. Mohr

11/23/60

J. F. Malone

[REDACTED]

ET AL

BANK ROBBERY
91-10242

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Investigative Reports

BACKGROUND: Reference is made to attached memorandum from Mr. Malone to Mr. Mohr dated November 17, 1960, concerning a memorandum of Roger G. Connor, Executive Assistant, Criminal Division, Department of Justice, to Mr. Rosen received in the Bureau 10/31/60. Mr. Connor requested the answers to specific questions concerning Bureau policies with regard to retention of investigative notes and other related matters. These answers were to help Mr. Connor prepare himself for possible inquiries by the Supreme Court relating to FBI procedures in this regard when he appears [REDACTED] et al v. United States before that Court in the near future. The [REDACTED] Case concerns the so-called Jencks Law and the question of producibility of an FBI report where notes taken by the FBI Agent at the time of the interview with a Government witness were no longer in existence at the time of trial.

Mr. Connor was advised that the Bureau's position was based on Departmental Instructions to the effect that notes of interview are destroyed after approval of transcribed report of interview; notes are specifically retained when taken to record the Agent's own findings and where he may be called to testify; and under special circumstances notes may be retained with authority of SAC.

In approving the transmittal of the memorandum answering Mr. Connor's specific questions, the Director noted with regard to this position taken by the Department, which is the same position taken in the Bureau Manual: "O.K. - I still don't like the generality of the exceptions when notes may be retained. H."

OBSERVATIONS: Our manual provisions implementing the Department's instructions place the responsibility for the retention of notes in special circumstances in the hands of our SACs, thus removing it from the individual discretion of our Agents. Assistant Attorney General [REDACTED] of the Criminal Division commended this fact in the conference 11/16/60, which Messrs. Belmont and Rosen had with him because he felt this made for greater uniformity than would be the case

51 DEC 6 1960
Enclosures
1 - Mr. Parsons
1 - Mr. Belmont
1 - Mr. Rosen (with enclosure)
1 - Mr. Dalbey
1 - (66-2435)
JVC:lh

(cont'd next page)

Memo to Mr. Mohr

Re: [redacted]

if thousands of Agents were permitted to decide when notes should or should not be retained. Of necessity, however, as the Director realizes, our instructions cannot give the SACs the "abc" type of guidance we would like as to when this discretion should be exercised. If we were to attempt to make our instructions more explicit in the absence of more specific guidelines from the Department, we would be running the risk of prejudging instances which some future specific case might prove unsound. Accordingly, it is felt that our only alternative at this time is to await the court's opinion in the pending [redacted] case and immediately thereafter try to get the Department to give us more explicit guidelines so that we can in turn make our instructions to the SACs more specific.

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RECOMMENDATION:

That the Training and Inspection Division follow the Supreme Court ruling in [redacted] et al v. U. S. and make further recommendations concerning this matter after that ruling.

MR. MOHR

November 17, 1960

MR. J. F. MALONE

* Notes taken by Agents Inter-
viewed

BANK ROBBERY
(91-10242)

Investigative Report

Reference is made to attached memorandum of Roger G. Connor, Executive Assistant, Criminal Division, Department of Justice, to Mr. Rosen captioned [redacted] et al. v. United States (Supreme Court, 1960, No. 53). Also attached is a copy of the Brief for the United States.

Referenced memorandum received at Bureau 10/31/60 in which Mr. Connor requested answers to specific questions concerning the Bureau's procedures connected with the handling of investigative notes, the writing and filing of reports of interview and the measures the FBI has taken to assure compliance with Title 18, Section 3500 (the so-called Jencks law) since its enactment. He advised that this information would enable him to better prepare himself to answer possible inquiries from the Supreme Court when he argues captioned case before that Court a few weeks hence.

Reduced to its essentials the case concerns Title 18, Section 3500, U. S. Code, and the question of producibility of an FBI report where the notes taken by the FBI Agent at the time of the interview of a witness were no longer in existence at the time of trial. At the trial the defense counsel asked for the Agent's notes of interview and when advised by the United States Attorney that they were not in existence, he asked to see the report of interview prepared by the Agent from those notes. The court after examining the Agent's report of interview (FD-302) offered it to the witness who read it and stated that the report was not substantially the same as the information he furnished the Agent. The judge then ruled that this report did not come within Jencks and refused to make it available to the defense. The defense counsel contended that he was entitled to see the Agent's report of interview even though that report is not a "statement," within the terms of Section 3500. The position of the lower court was upheld by the Circuit Court of Appeals.

* Form

Enclosures

1 - Mr. Parsons
1 - Mr. Rosen (With enclosure)

1 - Mr. Belmont

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91-10242-96

Memo for Mr. Mohr

Re: [redacted]

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Mr. Connor points out that in the Brief filed by the Petitioners in the Supreme Court an attack is made on the practice of destroying the notes of an interview, the brief claiming that this can lead to evasion of the statute by the Government. Mr. Connor anticipates that in the course of the argument the Supreme Court will inquire about FBI investigative practices and procedures, particularly the destroying of notes made by Agents in interviewing witnesses. He advises that although this might call for information outside the record in this case, it would be most helpful to him to be able to state authoritatively, in answer to such questions the procedures that are in effect. He advises further that he believed that an important part of the argument will turn upon the reasons for destroying or retaining such notes.

DEPARTMENTAL POSITION

On 5 different occasions, as early as June 20, 1957, and as recently as October 4, 1960, Departmental instructions have been received with regard to retention or destruction of notes of interview. The Departmental position has been that there would be no need to retain investigative notes under our proposed interview report form method of recording results of interview with a potential Government witness (FD-302), and they should be destroyed [redacted] b6 b7C

[redacted] Assistant Attorney General, Office of Legal Counsel, Department of Justice, furnished this initial opinion at which time he further advised that precise notes taken during investigation wherein the Agent might be called to testify should be retained. By letter October 4, 1960, the Department advised this Bureau that it has taken the position before the Supreme Court in the brief which the Department filed in the [redacted] case that it is not feasible to keep the investigative notes in all cases.

In order to be sure that the Department's position has not changed and that it is a positive position, Messrs. Belmont and Rosen talked to Assistant Attorney General [redacted] of the Criminal Division and his first assistant, [redacted] on November 16, 1960. [redacted] reaffirmed the Department's position relative to the handling of notes made during an interview. He said that the Bureau's position should be in accordance with the Department's instructions that the Agents [redacted] such notes after the results of the interview have been reduced to writing in report form and such report has been transcribed and approved. b6 b7C

[redacted] reiterated that the exceptions remain in effect; namely, where the notes were of precise character, such as accountants' work papers, crime

Memo for Mr. Mohr

Re: [REDACTED]

scene searches, laboratory examinations and fingerprint examinations to permit the Agent to testify as to his findings, they should be retained. In those instances where special circumstances suggest the retention of the notes, such as, for example, when a subject confesses orally but refuses to put the confession in writing, they may be retained with the specific approval of the Special Agent in Charge.

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[REDACTED] stated that the notes made during an interview were for the sole purpose of assisting the Agent in reducing the results of the interview to writing in report form; that this report constitutes the record of the interview and the investigative notes serve no purpose once they had been used to assist in preparing the report.

BUREAU POSITION

**Retention of*

Based on the Departmental opinions as stated above, this is the Bureau's position. Instructions have been issued to the field as set out in the FBI Handbook, Part I, Section 47C, page 33b, to the effect that "there is no need to retain investigative notes on interviews with persons after their contents have been incorporated into the usual records, such as signed statements, FD-302s, and/or memoranda. One exception is that such notes may be retained with the specific approval of the SAC where special circumstances suggest the desirability of such action. Such circumstances could exist, for example, when a subject confesses orally but refuses to put the confession in writing. Agent's notes of a precise character made to record his own findings must be retained. These are accountants' work papers and notes covering such matters as crime scene searches, laboratory examinations, and fingerprint examinations." All of this is in accordance with Departmental instructions.

OBSERVATIONS

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It will be noted from the above that (1) It is not within the discretion of a Special Agent to retain or destroy his notes. He must destroy them unless they come within the specific exceptions passed on by the Department or unless the SAC personally approved retention under special circumstances. (2) We are operating under positive instructions from the Department as clearly enunciated by [REDACTED] in the meeting with him on November 16, 1969. In our reply to Mr. Connor we are further committing the Department to this position in writing.

Memo for Mr. Mohr

Re:

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RECOMMENDATION:

That the attached memorandum directed to the attention of Mr. Connor setting forth 9 specific questions and our proposed answers to these questions be approved.

*OK I still don't like
the generality of the
exceptions which notes
may be returned*

H

Assistant Attorney General

December 7, 1960

Director, FBI

**FBI REPORTS
CONFIDENTIAL NATURE OF**

On Monday, December 5, 1960,

[redacted] of your office discussed with representatives of this Bureau a current problem of drafting S. 2374 in such a way that reports of investigation submitted by the FBI to administrative agencies would be of maximum use to those agencies in their deliberations and decisions and yet not be made a matter of public record. [redacted] said our views on the problem would be appreciated. 10- CONFIDENTIAL - 1960

We suggest that S. 2374 (Revised), dated June 20, 1960, could be amended in two different places. The first amendment would appear in Section 2 (c) on page one, line thirty, and read that "Private communication" shall not be interpreted to mean any oral, written or other communication of any investigation conducted by any civilian or military investigating agency of the United States Government. The effect of this amendment would be to clearly not forbid receipt and use by the hearing officer of any pertinent, official communication submitted to him by the FBI or any other investigating agency of the Federal Government.

The second amendment would appear in Section 2 (c) at the end of line four on page two, and would read that "Nothing contained in this Act shall be construed to authorize or require disclosure of any oral, written, mechanically or electrically recorded report, letter, memorandum, or other communication, or part thereof, of any investigation conducted by any civilian or military investigating agency of the United States Government." The effect of this amendment would be to maintain in a confidential status all reports of the referenced type even though the hearing officer has had the benefit of them in reaching his decision.

Should attention be focused again on the language of the bill as originally written, we suggest that Section 2 (b) (3) at line nine, on page two, could be expanded from its present wording of "investigations" to

1 - Messrs. Parsons, Belmont, Rosen, and DeLoach (Sent Separately)

NOTE: Based on memo J. F. Malone to Mr. Mohr, 12/6/60, same re, DJD:hcv,wmj

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Assistant Attorney General [REDACTED]

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"... investigations, including but not limited to any oral, written or other communication of investigation conducted by any civilian or military investigating agency of the United States Government." This expanded definition would clearly allow the hearing officer to see FBI reports and use them in his deliberations.

The second amendment to the original bill would appear under Section 4 (a) at the end of line seven on page three, and would be identical with the second amendment proposed above for S. 2374 (Revised) dated June 20, 1960. Here again, the effect would be to exempt all reports of investigation received by the administrative agency, or any hearing officer in it, from disclosure as a public record.

SAC, New Orleans (66-1) (-93-1016)

12-13-60

Director, FBI

DEC 37/6-2475-2521
EX-108

**ADMINISTRATIVE MATTERS
POSTING OF BUREAU COMMUNICATIONS**

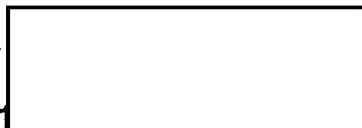
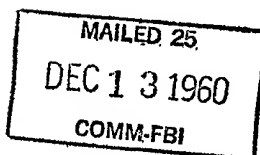
Reurlet 12/5/60, regarding posting of communications.

Except for memoranda for the SAC showing contacts with Informants or Potentials under the Informant Program and communications closing cases administratively, the communication must be sent to the Bureau or to another field office in order to be able to post it. Also, the communication must be one furnishing results of investigative activity in report form or in some other form in lieu of an investigative report, or request investigation based on investigative activity.

From the information set forth in the first paragraph of referenced letter, it is assumed that the report in question was not sent out of your division, in which case it should not be posted.

FMB:meh
(4)

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Callahan _____
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W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____



MAIL ROOM ☐ TELETYPE UNIT ☐

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UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI

DATE: December 5, 1960

Attention: Training and Inspection Division

FROM : SAC, New Orleans (66-1)

SUBJECT: ADMINISTRATIVE MATTERS
POSTING OF BUREAU COMMUNICATIONS*INVESTIGATIVE REPORTS*

It has been the practice in the New Orleans Division of posting the original report in those cases which, under Bureau rules and regulations, may be prepared but not submitted to the Bureau during the ninety-day period immediately following the opening of the case in the office.

In analyzing Manual of Rules and Regulations, Part II, Section 3, page ¹⁷17, paragraph 7, we are not clear as to whether or not our above procedure is correct. The Bureau is requested to advise if such procedure as presently practiced in the New Orleans Division is the correct interpretation of the Bureau's rules regarding posting of communications.

2 - Bureau
2 - New Orleans (1 - 93-1016)

WWB:ez
(4)

REC-37 66-2435-2521

EX-108

18 DEC 14 1960

Let 12/13/60
FMB: mch

TWO

UNITED STATES GOVERNMENT

Memorandum

TO : MR. MOHR

DATE: 12/6/60

FROM : MR. J. F. MALONE

SUBJECT:

FBI REPORTS

~~CONFIDENTIAL NATURE OF~~

Tolson _____
 Mohr _____
 Parsons _____
 Belmont _____
 Callahan _____
 DeLoach _____
 Malone _____
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 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

At their request, Departmental Attorneys [redacted] and [redacted] of the Office of Legal Counsel, met in my office at 9:30 AM on Monday, 12/5/60, to present a problem of legislative drafting which they felt material to the FBI. SA [redacted] of the Legal Research Department was also present.

S. 2374, in the Senate Committee on the Judiciary Subcommittee on Administrative Practice and Procedure, Chairman [redacted] prohibits ex parte or private communications on a subject at issue from any person to another who is a "deciding officer" in an administrative agency of the Government. Also, if anyone does send an ex parte or private communication to such "deciding officer," that communication shall be made public. All this would apply to all Federal agencies under the Administrative Procedure Act whose terms cover such agencies as the Subversive Activities Control Board, the Interstate Commerce Commission, the Federal Trade Commission, the National Labor Relations Board, etc. In short, all Federal agencies which have hearing and decision functions.

The problem of the Department is to draft an amendment to S. 2374 making it clear that an FBI investigative report or communication sent to one of the administrative agencies for a proper official purpose is not an ex parte or private communication and hence is not to be made public. In connection with preparing such an amendment, [redacted] were interested in knowing the position of the Bureau on how far its investigative reports should be used and exposed in any proceedings before any agency subject to the Administrative Procedure Act. More specifically, while it would be understood that the Government attorneys in that agency could use the Bureau report in preparing their case, much as the United States Attorney would use a Bureau report in preparing a criminal case, does the Bureau feel that its report should be allowed to go to the "hearing officer" or "deciding officer" and thus expose that report to the possibility of being called an ex parte or private communication which must be made public? A knotty little problem here

1 - Mr. Parsons (encl) 1 - Mr. Rosen (enc.)
 1 - Mr. Belmont (encl) 1 - Mr. DeLoach (enc.)

DJD:hcv, wmi (6)

Enclosures

51 DEC 22 1960

REC-58

25 DEC 16 1960

UNRECORDED COPY FILED

Memo for Mr. Mohr
Re: FBI Reports, Confidential Nature of

is that the head of the administrative agency is sometimes a "hearing officer" or "deciding officer" and if it is the Bureau's position that our reports should not go to this class of officers then the head of the agency is in the anomalous position of being entitled to the FBI report as the head of an agency but simultaneously not entitled to it inasmuch as he is the "deciding officer."

We have two versions of the Bill, S. 2374 (Revised), which the Department finds unsatisfactory and is now working on, and S. 2374 the original. Since the final version is uncertain, we are proposing for each Bill two separate amendments. The effect of the first is to provide that any report of investigations conducted by any civilian or military investigating agency of the United States Government is not an ex parte or private communication of the type forbidden by the Bill, with the result that such report may be seen by any agency officer who needs to see it, no matter whether he is a "hearing officer" or not. The effect of the second amendment is to provide that nothing in this Act shall either authorize or require disclosure of the contents of any report of investigation made by any civilian or military investigating agency of the United States Government. The purpose here is to completely seal off such reports from the public record.

The attached suggested letter to Assistant Attorney General, Office of Legal Counsel, sets out the exact wording of our proposed amendment in each case and states where it could be located in the Bill.

RECOMMENDATION:

That the attached letter be sent to ✓

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[Handwritten signature]
GRC
12/7

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

[Handwritten signature]

12/6

[Handwritten signature]

ENCLOSURE



ENCLOSURE

66-243-2522

86TH CONGRESS
1ST SESSION

S. 2374

IN THE SENATE OF THE UNITED STATES

JULY 13, 1959

Mr. CARROLL (by request) introduced the following bill; which was read twice
and referred to the Committee on the Judiciary

A BILL

To establish standards of conduct for agency hearing proceedings
of record.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Agency Hearing Stand-
4 ards of Conduct Act."

5 SEC. 2. HEARINGS OF RECORD.—(a) In agency hear-
6 ing proceedings which are subject to notice and opportunity
7 for hearing and required by law to be based upon a hearing
8 record, the agency's determination and decision shall be
9 based solely and exclusively upon the issues, pleadings,
10 evidence, and contentions of record in the proceedings.
11 Such proceedings shall include (1) adjudications; (2)

1 hearings of record which by law are made subject to the
2 procedure governing adjudications; and (3) those hear-
3 ing proceedings which by the agency's notice of hearing
4 are made subject to the standards of conduct of this
5 Act.

6 (b) The requirements of section 2 (a) shall not ap-
7 ply to (1) agency actions which are administrative or
8 executive in character; (2) administrative rulings or in-
9 terpretations not subject to notice and hearing; (3) in-
10 vestigations; ✓(4) rulemaking proceedings, except those
11 governed by section 2 (a) above.

12 (c) The notice of hearing in each agency proceeding
13 shall state whether it is or is not subject to section 2 (a) of
14 this Act.

15 SEC. 3. EX PARTE INFLUENCE, RESPONSIBILITIES OF
16 AGENCY MEMBERS AND HEARING OFFICERS.—It shall be
17 unlawful for any agency member or hearing officer who pre-
18 sides over or participates in the decision or conduct of a hear-
19 ing proceeding subject to section 2 (a) of this Act to permit,
20 receive, entertain, or consider any ex parte private interview,
21 argument, or communication pertaining to his consideration
22 or decision of such proceeding, except in circumstances au-
23 thorized by law or upon reasonable notice to all parties of
24 record.

25 SEC. 4. DISCLOSURE.—(a) After a proceeding sub-

1 ject to section 2 (a) of this Act has been noticed for hearing,
2 if any such interview, argument, or communication contrary
3 to section 3 is received by an agency member or hearing
4 officer he shall promptly make the communication, if writ-
5 ten, or a true summary, if oral, together with a statement of
6 the circumstances, a matter of record in the public file of
7 the agency with notice thereof to all parties. ✓

8 (b) Failure to make disclosures required in section 4 (a)
9 above may be cause for disqualification, censure, suspension,
10 or removal from office.

11 (c) A willful violation of this section shall be subject
12 to a fine of not more than \$10,000 or imprisonment for not
13 more than one year, or both.

14 SEC. 5. EX PARTE INFLUENCE, RESPONSIBILITIES OF
15 LITIGANTS AND OTHERS.—(a) It shall be unlawful after
16 a proceeding subject to section 2 (a) of this Act has been
17 noticed for hearing for any person, with intent to influence
18 the consideration or decision of a proceeding, to communicate
19 ex parte, directly or indirectly, with any agency member or
20 hearing officer concerning a proceeding which is pending
21 before the agency, except in circumstances authorized by
22 law or upon reasonable notice to all parties of record.

23 (b) A willful violation of section 5 (a) shall be subject
24 to a fine of not more than \$10,000 or imprisonment of not
25 more than one year, or both.

1 (c) Violation of section 5 (a) by any party to the pro-
2 ceeding or by anyone acting for or in his behalf, shall be
3 good cause, in the agency's discretion, for disqualification
4 of such party.

80TH CONGRESS
1ST SESSION

S. 2374

A BILL

To establish standards of conduct for agency
hearing proceedings of record.

By Mr. CARROLL

JULY 13, 1939

Read twice and referred to the Committee on the
Judiciary

June 20, 1960

S. 2374
(Revised)

A BILL TO ESTABLISH STANDARDS OF CONDUCT
FOR AGENCY PROCEEDINGS OF RECORD

1 Be it enacted by the Senate and House of Representatives of
2 the United States of America in Congress assembled, That

3 This Act may be cited as the "Agency Standards of Conduct
4 Act."

5 Section 2.--As used in this Act, except where the context
6 clearly indicates otherwise--

7 (a) "Agency proceeding" means any departmental or
8 agency proceeding, formal or informal, which results in, or is
9 intended to result in, any decision, determination, or order as
10 a pre-requisite to which notice and opportunity for hearing are
11 required by the Constitution of the United States, or by any
12 statute, or by any applicable rule, regulation, or order of any
13 department or independent agency of the United States Govern-
14 ment, and "agency" means the department or agency conduct-
15 ing such proceeding.

16 (b) "Deciding officer" means any member of any agency,
17 or any officer or employee of any executive department or
18 independent agency, who is designated to preside over an
19 agency proceeding, or who makes any preliminary or final
20 determination in such proceeding, or who participates in any
21 such preliminary or final determination, or who is authorized
22 by the agency to participate in any review, re-examination, or
23 revision of any such determination.

24 (c) "Private communication" means any oral or written
25 communication with reference to any agency proceeding if it
26 is made without giving, at or prior to the time of the making
27 of such communication, notice to all parties of record in such
28 proceeding, if such communication is made after notice by the
29 agency pursuant to section 6(a) of this Act and while the pro-
30 ceeding is pending before the Agency.

31 Nothing contained in this Act shall be so construed as to
32 require disclosure of, or communication with, or oral, or written

1 ing an agency proceeding among those persons who are, at the
2 time thereof, listed in accordance with section 6(b) of this Act as
3 deciding officers for such proceeding. This Act shall not
4 authorize communications by any person if otherwise prohibited.

5 Section 3.--It shall be unlawful--

6 (a) for any deciding officer to receive or permit any private
7 communication respecting an agency proceeding as to which he is
8 listed as a deciding officer in accordance with section 6(b) of this
9 Act without disclosing the communication in accordance with the
10 requirements of section 4 of this Act.

11 (b) for a party or for any other person, for compensation and
12 in behalf of any party to an agency proceeding, to make, or
13 attempt to make, with respect thereto any private communication
14 to any person listed as a deciding officer for such proceeding.

15 Section 4.--If any person shall make, or attempt to make, any
16 private communication respecting any agency proceeding to any
17 deciding officer, such communication, if written, shall forthwith
18 be placed in the public file of the agency. If such communication
19 be made or attempted orally, the deciding officer shall, within
20 three days thereafter, make a written summary in which he shall
21 state, to the best of his information, recollection and belief, the
22 circumstances thereof and the content of such communication.
23 Such summary shall forthwith be placed in the public file of the
24 agency. The agency shall cause a true and correct copy of such
25 summary to be delivered to the person who made, or attempted to
26 make, such communication, and to any other person named in the
27 officer's summary as being present at the time such communica-
28 tion was made or attempted. Any such person may, at his option,
29 make a written summary in which he shall state to the best of his
30 information, recollection and belief, the circumstances thereof
31 and the content of such communication, and shall have the right to
32 have such summary placed in the public file of the agency.

33 Section 5.--When any private communication has been dis-
34 closed in compliance with section 4 of this Act, any party to the
35 agency proceeding shall be afforded a reasonable opportunity to
36 place in the record of such proceeding material relevant to the
37 subject matter of the communication, and, if necessary, the
38 proceeding shall be re-opened for the purpose of receiving
39 evidence thereon.

1 Section 6.--(a) Each agency shall, in the first public notice,
2 rule, or order issued in connection with a proceeding state whe-
3 ther it is an agency proceeding subject to the provisions of this
4 Act.

5 (b) Each agency shall, by notice published in the Federal
6 Register, designate an officer or employee as its "docket clerk."
7 It shall be the duty of the docket clerk to maintain the public
8 files relating to all agency proceedings subject to the provisions
9 of this Act. Such docket clerk shall maintain a continuous and
10 current list of each agency proceeding subject to this Act, and a
11 docket showing the status thereof, and in addition, a list of every
12 person who currently is a deciding officer in connection therewith.

13 Section 7--(a) If any party to an agency proceeding shall make,
14 or cause to be made, any private communication which shall not
15 have been disclosed as required by Section 4 of this Act, and if
16 the determination of the proceeding shall be, in whole or in part,
17 favorable to such party, the determination shall be presumed to
18 have been influenced by the communication, and it, insofar as it
19 is favorable to such party, shall be annulled and set aside upon
20 request of any other party aggrieved thereby, or upon the agency's
21 own motion, and the issue shall be reconsidered by the agency.

22 (b) The willful or negligent failure of any deciding officer to
23 make a disclosure required by section 4 of this Act shall disqualify
24 such deciding officer from further participation in the agency
25 proceeding. Willful failure to make any disclosure required by
26 section 4 of this Act shall constitute misconduct and shall be
27 grounds for the censure, suspension, or removal of such deciding
28 officer, at the discretion of the authority by whom such officer
29 was appointed.

30 (c) A willful violation of section 3(b) of this Act, if committed
31 by a person authorized to practice or represent others before the
32 agency, shall be grounds, in the discretion of the agency, for the
33 suspension or revocation of the right of such person to practice
34 or represent others before the agency.

35 (d) Any person who willfully and knowingly fails to make any
36 disclosure required by this Act, or who willfully attempts to cause
37 another person to fail to make such disclosure, shall be punished
38 by imprisonment for not more than one year, or a fine of not
39 more than \$10,000, or both.

1 (e) Any person who, for compensation and in behalf of a party
2 to any agency proceeding, willfully and with intent to influence the
3 decision on the merits of such proceeding, makes or attempts to
4 make a private communication to any deciding officer, shall be
5 punished by imprisonment for not more than one year, or a fine of
6 not more than \$10,000, or both.

7 Section 8.--There is hereby authorized to be appropriated to
8 each agency such sum as may be required to carry into effect the
9 provisions of this Act.

10 Section 9.--This Act shall take effect on the first day of the
11 third month beginning after the date of enactment of this Act.

December 27, 1960

PERSONAL

REC-7

66-7435-2523

[redacted]
Federal Bureau of Investigation
Little Rock, Arkansas

b6
b7C

Dear [redacted]

Your suggestion that ~~reports~~ of considerable length be prepunched by the stenographer or typist typing the report has been received. After careful consideration of your idea, it was decided that it should not be adopted. It is the opinion of the Bureau that this function is properly the responsibility of the Chief Clerk's Office, and a separate supply of prepunched paper could be maintained by the supply clerk for use on those occasions to which you make reference.

1000-READING ROOM

DEC 23 5 42 PM '60

Although your idea is not being adopted in this instance, I want you to know that your interest in this matter is appreciated.

MAILED 19

DEC 27 1960

Sincerely yours,

J. Edgar Hoover

1 - SAC, Little Rock
1 - Personnel file of [redacted]

b6
b7C

RWB:bmw (Suggestion #315-61, dated 12-15-60)
(5)

NOTE:

[redacted] suggests that reports of considerable length be prepunched by the steno or typist typing the report. She stated that the problem is such reports must now be disassembled to punch holes for filing. The referenced reports are now punched by the Chief Clerk's Office filing the report.

The matter of having holes punched in all white bond paper has arisen in the past on several occasions. While it may be desirable for FBI purposes to have our paper supplies furnished with prepunched holes,

MAIL ROOM ☐ TELETYPE UNIT ☐

(Over)

NOTE: (con't)

the fact remains the General Services Administration will not do so because most Government agencies prefer not having their paper prepunched. Since such supplies are furnished to regional offices of GSA throughout the country, it would not be practical to have all the paper prepunched at the Bureau and shipped to field offices because of the mailing expense involved. Therefore, Bureau employees must punch the holes necessary for filing purposes.

It is not felt that we should require stenos and typists to handle this simple clerical function since such duties are ~~those~~ of a GS-2 clerk. Also there are means for punching holes in the paper without disassembling. To establish a rule for handling simple matters such as this would be preposterous and accordingly it is not felt that this idea should be approved.

#315-61

Date

12/15/60

To:

Director, FBI

From: (Suggester's name)

Division of Assignment

LITTLE ROCK

SUGGESTION

When reports of considerable length are typed, holes should be punched in the reports by the stenographer or typist at the time they are assembled, preparatory to filing.

Current practice or rule (Include manual citation as well as facts)

Reports are assembled by originating office and forwarded to necessary offices without holes punched, necessitating receiving offices to disassemble and punch same before filing.

Advantages of suggestion and annual savings (Include basis for estimate)

Some reports are of such size that holes cannot be punched in reports without taking them apart and punching holes through several pages at a time. By having stenographer or typist punch holes in reports before they are assembled, this will eliminate time-consuming process of clerical employees in various field offices taking reports apart, punching holes for filing, and reassembling reports. Reports will look neater if they are not taken apart and reassembled. This will eliminate possibility of torn corners of reports when staples are removed, pages lost, or placed out of order. Stenographer or typist can eliminate work of possibly 10 or more clerical employees in this regard, depending upon number of offices receiving copies of report, by initiating and putting into effect this program throughout the Bureau. Over a period of time this should amount to a considerable savings.

Disadvantages of suggestion

The only apparent disadvantage is a few minutes more time spent by the stenographer or typist in assembling the report, which disadvantage is offset by the time saved by other clerical employees.

(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States. I understand that I will be considered within two years after submission.)

☐ Mr. ☒ Mrs. ☐ M

on is adopted

Lerk-Typist
ster

Recommendations and comments of Division Head It appears that this suggestion certainly has merit inasmuch as it would only cause extra time by the office assembling report to punch holes, and eliminate numerous offices receiving report from disassembling and punching holes before filing. I feel this suggestion has definite merit and recommend favorable consideration.

(Do not write in this space - for Bureau use only)

REC-7

J. CASPER, SAC

17 DEC 1960

SAC, New Orleans (66-1226)

1/3/61

66-2435-2524
Director, FBI

1

Training & Inspection
Division

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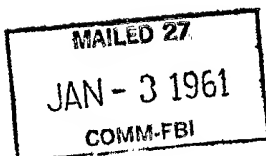
PAROLE REPORTS

Reurlet 12/27/60.

In answer to your inquiry concerning the first situation set forth in referenced letter, a parole report need not be submitted by the Bureau where, after the original sentencing, there is a subsequent change in this sentence by the court due to a revocation of probation or other disposition. It is also not necessary that a disposition sheet be submitted to show a subsequent change in the original sentencing.

In answer to your second question, once a parole report has been submitted, it is not necessary to submit additional parole reports or additional disposition sheets on the occasion of subsequent modifications or changes in the original sentence.

The above is submitted for your information and guidance in the preparation and submission of parole reports and disposition sheets in Bureau cases.



NJW:bwd

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W.C. Sullivan _____
Tele. Room _____
Ingram _____
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52 JAN 9 1961

MAIL ROOM ☒

TELETYPE UNIT ☐

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI
Attn: Training & Inspection Division

DATE: 12/27/60

FROM : *WFO*
CR SAC, NEW ORLEANS (66-1226)

Reports

SUBJECT: *X* PAROLE REPORTS

In order to properly comply with the Bureau's wishes concerning the submission of Parole Reports, the Bureau is requested to advise whether or not Parole Reports, Investigative Reports and Disposition Sheets should be submitted in the following instances:

no
USPO
(1) A subject is convicted in U. S. District Court of a violation within the primary jurisdiction of the FBI and receives a probationary sentence. During the probationary period he violates the terms of his probation, is returned to the Court of original jurisdiction and sentenced to the custody of the Attorney General for a period in excess of 180 days on the original violation.

no
USPO
(2) Subject is similarly convicted as in example #1 above, but receives a period of confinement followed by probation. A Parole Report is submitted on the original sentence. The subject violates the terms of his probation and is returned to the Court of original jurisdiction where the probationary sentence is revoked and he is committed for an additional term.

② - Bureau
2 - New Orleans (66-1226) (26-26203)

PRA:cjk
(4)

Let New Orleans
11/3/61
WJW/lan

REC-57

66-2435-2524

EX-137

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JWC
6-100

66-2435-2525

PERS. FILES

October 26, 1960

PERSONAL

[Redacted]

Federal Bureau of Investigation
Little Rock, Arkansas

b6
b7C

Dear [Redacted]

I have received your suggestion to change our report writing procedures in certain Bureau cases. Careful consideration is being given to your idea, and in the event a favorable determination is reached, I will advise you.

You have clearly indicated your interest in improving current procedures by making your observations available to me. I want you to know that your interest in this matter is very much appreciated.

Sincerely yours,
J. Edgar Hoover

1 - SAC, Little Rock

RWB:bmw (Suggestion #205-61, dated 10-17-60)

(4)

NOTE: Referred to the Investigative Division for views and recommendations.

MAILED 10
OCT 26 1960
COMM-FBI

- Tolson _____
- Mohr _____
- Parsons _____
- Belmont _____
- Callahan _____
- DeLoach _____
- Malone _____
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59 FEB 1 1961

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Oct 26 11 23 AM '60

10 JAN 12 1961

JPM
51

[Handwritten signatures and initials]

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
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 Parsons _____
 Belmont _____
 Callahan _____
 DeLoach _____
 Malone _____
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 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

TO : Mr. Mohr

DATE: 1/11/61

FROM : J. F. Malone

SUBJECT: SUGGESTION #205-61
 SUBMITTED BY ASAC [REDACTED]
 LITTLE ROCK OFFICE

b6
 b7C

SUGGESTION: That when office of origin has submitted a previous report reflecting completion of all of its investigation in Selective Service Act of 1948; Conscientious Objector cases, and all auxiliary offices have submitted referred upon completion (RUC) reports, that the office of origin advise the Bureau and United States Attorney by letter that all investigation has been completed and case closed.

ADVANTAGES STATED: That closing report by office of origin appears to be unnecessary and elimination would save stenographic and Agent time in dictation and transcription.

CURRENT PROCEDURE: Volume 3, Section 90F, Page 7, Manual of Instructions instructs that closing report showing results of inquiry must be submitted within 30 days of request for investigation. J. Middleton, Supervisor, Selective Service Desk of the Investigative Division advises that these closing reports go to the Department and that their files are not closed until a closing FBI report is received.

OBSERVATIONS: It is pointed out that these closing reports usually consist of a one or two line synopsis and one or two lines of details by which we advise the United States Attorney and the Department of Justice and any interested Bureau field office that the case is closed. It is the opinion of the Training and Inspection Division that this is the most economical and simplest way of handling. Further, since the Department prefers closing reports, it is recommended that this suggestion not be adopted.

RECOMMENDATION: That this suggestion not be adopted. If approved, no further action is necessary since [REDACTED] has been thanked by letter from the Director for his suggestion.

EX-105

JAN 13 1961

JVC:mgj
 (2)

JAN 16 1961

52

PERS. FILES

UNRECORDED COPY FILED IN 66-16263-

#205-61

Date

10/17/60

To:

Director, FBI

From:

ASAC

Division of Assignment

LITTLE ROCK

b6

b7C

SUGGESTION

It is suggested that when office of origin has submitted a pending report reflecting completion of all investigation by office of origin in Selective Service Act of 1948; Conscientious Objector cases and only remaining investigation is to report results of investigation by auxiliary offices, that upon completion of investigation by auxiliary offices and results submitted by RUC report, the office of origin advise Bureau and USA by letter that all investigation completed and case closed.

Current practice or rule (Include manual citation as well as facts)

VOLUME III, Sec. 90F, page 7, Manual of Instructions, instructs that closing report showing results of inquiry must be submitted within 30 days of request for investigation. (Continued next page)

Advantages of suggestion and annual savings (include basis for estimate)

This suggestion would enable the office of origin to close cases of this type by letter and save considerable dictation time of the agent and typing time of the stenographers, inasmuch as the closing report only refers to reports furnished by auxiliary offices and states, "All investigation completed and matter is being considered closed."

Investigation Reports

Disadvantages of suggestion

None known.

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b7C

(The use by the United States of my suggestion shall not form the basis assigns upon the United States. I understand that I will be considered within two years after submission.)

☒ Mr. ☐ Mrs. ☐ Miss

or
opted

ASAC

SAC

Recommendations and comments of Division Head

Inasmuch as a closing report submitted after office of origin has submitted results of its investigation appears to be unnecessary and since it would save considerable typing time of the stenographers and dictation time of the agents, I recommend favorable consideration.

Signature and Title

Special Agent in Charge

(Do not write in this space - for Bureau use only)

REC-26

66-2435-2526

PERM. FILES

UNRECORDED COPY FILED IN 66-16263-

CURRENT PRACTICE OR RULE (Continued):

In almost every case in this division our investigation is completed within 30 days and a pending report submitted. A closing report is not submitted since leads are in most instances outstanding for other offices. According to the above instructions, it is then necessary for a status report to be submitted after investigations in auxiliary offices are completed and results submitted in report form.

ADDENDUM to
Employee Suggestion,
FD-252, dated 10/17/60

11/1/60

JJM:jlz

RECOMMENDATION OF INVESTIGATIVE DIVISION:

RUC and pending reports concerning Conscientious Objector investigations are retained at the SOG until the investigation is completed and the closing report is submitted. The results of the entire investigation is then transmitted to the Department (at their request) in one complete package. This closing report shows the Department that the investigation by this Bureau is completed.

It is noted that the suggestion submitted would make two letters necessary, one to the USA and one to the Bureau. This would still not definitely show the Department that we have closed our investigation. The one sentence closing report referred to in the suggestion would not involve any more dictation or typing than the two letters suggested.

In addition, the situation set forth in the suggestion does not occur in every instance. In a good many cases the first report submitted by the office of origin will be the closing report containing the complete investigation.

In view of the above, the Investigative Division recommends against the adoption of the suggestion.

[Handwritten signatures and initials]

UNITED STATES GOVERNMENT

Memorandum

TO : MR. A. H. BELMONT *WBS*

DATE: 12-16-60

FROM : DIVISION STREAMLINING COMMITTEE

SUBJECT: SUGGESTION NUMBER 291-61

Tolson _____
Mohr _____
Parsons _____
Belmont _____
Callahan _____
DeLoach _____
Malone _____
McGuire _____
Rosen _____
Tamm _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

OT - Training Reports -
[redacted] Savannah Office, has submitted suggestion (enclosed) that Bureau adopt, as a time-saving measure, a Description Form (Sample enclosed) for inclusion in reports and, where necessary, in airtels. SAC, Savannah, recommends adoption. Committee opposes.

[redacted] claims typing time will be saved as subheadings will already be printed on form; and that Agent time will be saved and more complete descriptions will be obtained by Agent utilizing form during interviews and in preparing rough drafts and dictating. Suggested form is intended to be placed in report wherever required, and used as an insert to airtels where descriptions are long and involved. She points out supplies of form would have to be available in white, yellow and blue colors, to correspond to other stationery now being used in field. She does not mention that we would probably have to stock white in both bond and onionskin. Thus there would be an additional cost involved in preparing stocks of suggested form.

While there might be some saving in time and typing achieved by use of suggested form, it is felt benefits would be more apparent than real. It appears suggested form was based on "Usual or minimum description included in police and FBI reports," set out in Section 5, Manual of Instructions. Subsequently, however, Section 5 goes on to instruct our Agents along very specific lines in obtaining descriptive data much more detailed than the "usual or minimum description," and thus not readily adaptable to the form suggested. Use of form on one hand might be beneficial in ensuring uniformity of order of description and, if it is conceivable that such should be necessary, in reminding Agents of points of description they should note. However, in long run it is felt use of a form would result in tendency to fill form out routinely, with accompanying decline in use of powers of observation an Agent is expected to use to obtain best possible physical descriptions. Result could be that the quality of our descriptions would level off at the "usual or minimum," which would not be desirable.

JMF:sap (5) Enclosures

EX 100

REC-43

66-2435-2527

17 JAN 18 1961

1 59 JAN 25 1961

1 - Training and Inspection Division (Suggestion Desk)

1 - Liaison Section

XEROX

b6
b7C

JAN 19 1961

52

UNRECORDED COPY FILED IN 62-1479

ENCLOSURE

Streamlining Committee to Belmont
RE: SUGGESTION NUMBER 291-61

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b7C

It is not felt the monetary saving suggested form might bring about is important. The important thing is that we get and record the best possible descriptions in our cases. A detailed description, going beyond and expanding on items covered by the suggested form could conceivably save untold amounts of money in investigative time in locating and/or identifying a person.

If, as suggested by [redacted] there is room for improvement regarding completeness of descriptions, it is not felt any form is the answer, but rather a closer adherence to present instructions.

RECOMMENDATION:

That this memorandum, recording Domestic Intelligence Division as opposed to the adoption of this suggestion, be forwarded to Training and Inspection Division, Suggestion Desk.

RCZ *Jan 7*
[Signature] *[Signature]*

ADDENDUM

ABE:rap

12/19/60

The suggestion is that the Bureau adopt a description form.

The Investigative Division is opposed to this suggestion.

The description of individuals varies and in some instances it may be necessary to expand a particular item such as scars and marks beyond the space provided on a form. Under the existing system it is possible to set forth other data on the same page as the description and thus we have a conserving of space and paper.

The suggester overlooks the fact that descriptions are obtained from many sources. Descriptions are obtained from witnesses, employment records, associates, relatives and many other persons who have occasion to view the subject. Frequently descriptions are meager because complete information is lacking, and thus descriptions from several sources can be set forth on a single page which would not be possible if a form were used.

In view of the above reasons the Investigative Division does not feel this suggestion has merit.

RPM

*over
ABE*

291-61

Date

December 5, 1960

To: Director, FBI	Division of Assignment Savannah, Georgia
<p>SUGGESTION</p> <p>Attached hereto is a sample form (Description Form) which could possibly be adopted by the Bureau. It is being submitted for consideration inasmuch as it is believed this form can serve in several ways and will result in the saving of much time especially from a clerical standpoint. The form can be produced in colors presently used by the field offices, i.e. white, yellow and blue. It can be typed as an insert as interview forms are typed, and can be placed as the last page of interview reports requiring descriptive data as in interviews with subjects, victims and suspects. In blue and yellow it can be utilized as inserts for airtels when descriptions are long and involved.</p>	
<p>Current practice or rule (include manual citation as well as facts): Sub-headings which are required when setting forth descriptions, i.e. "Name, Race, Sex", etc. must be typed each and every time a description is set forth in reports, letters and other communications.</p>	
<p>Advantages of suggestion (an outline of the benefits for estimate): Agents can utilize this form during interviews thus enabling them to obtain more complete descriptions, and also save their time in preparation of rough drafts, and in dictation, inasmuch as the form can be placed in reports, etc. wherever required. This form will save the typist's having to type all of the necessary sub-headings every time descriptions are set forth. Just as the interview report form has proved effective in setting forth results of interviews, it is believed the Description Form can prove equally effective as well as time-saving if adopted. Sub-heading "Immediate Relatives" is shown as insert item, inasmuch as possibility exists that names of many relatives might have to be listed, and a second page could then be attached to the "Immediate Relatives" listing.</p>	
<p>Disadvantages of suggestion: None readily discernible.</p>	
<p>(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States. I understand that I will be considered within two years after submission.)</p> <p><input type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input checked="" type="checkbox"/> Mr. _____</p>	
<p>Recommendations and comments of Division Head: Stenographic Unit Supervisor</p> <p>This form will without question save both clerical and agent time. This will eliminate dictation of descriptions except in urgent teletypes and will reduce the amount of dictating in charge. I recommend adoption.</p>	
<p>(Do not write in this space - for use by you only)</p> <p>44.60 JAN 13 1961</p> <p>REC'D FBI</p> <p>MEMO Streamlining Committee to Belmont, 44-60-2435-2527</p>	

ENCLOSURE

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b7c

DESCRIPTION FORM

The following descriptive data was obtained from _____

Name and aliases _____

Race _____

Sex _____

Nationality _____

Age _____

Date of
Birth _____

Place of
Birth _____

Height _____

Weight _____

Build _____

Hair _____

Eyes _____

Complexion _____

Scars and Marks _____

Teeth _____

Peculiarities or
Characteristics _____

Occupation(s) _____

Marital Status _____

Residence _____

Identifying Number(s) _____

Fingerprint
Classification _____

Immediate Relatives _____

66-2135-2527
ENCLOSURE

REC-66

66-2435-2528

February 17, 1961

PERSONAL

Mr. Fletcher D. Thompson
Federal Bureau of Investigation
Savannah, Georgia

Dear Mr. Thompson:

I have received your suggestion that an auxiliary office set forth a synopsis of the results of investigation on communications forwarding detailed comprehensive interviews or multipage inserts to an office of origin. Your idea is being given careful consideration and you will be advised if it is adopted.

The interest which prompted your proposal is greatly appreciated.

Sincerely yours,

J. Edgar Hoover

- 1 - SAC, Savannah
- 1 - Personnel file of SA Fletcher D. Thompson

JER:bmw (Suggestion #409-61, dated 2-8-61)
(5)

NOTE:

Referred to the Training and Inspection
Division for views and recommendations.

Tolson _____
Parsons _____
Mohr _____
Belmont _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Tavel _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐

FEB 17 1961
45 PM '61

FEB 24 1961

409-61

Date

2/8/61

To:

Director, FBI

From: (Suggester's name)

SA FLETCHER D. THOMPSON

Division of Assignment

Savannah

SUGGESTION

I respectfully recommend that in detailed, comprehensive interviews or where several pages are forwarded to the office of origin in insert form, that a synopsisized version of the investigation be set forth on the forwarding communication by the auxiliary office.

CURRENT PRACTICE:

FEB 10 1961

In certain instances inserts are prepared in final form and forwarded to 00 for inclusion in investigative reports. FD-302's are utilized in our reporting system in the same manner that inserts

are used. (Part II, Section 4, Pages 2, 4a of Manual of Rules and Regulations, and Section 3C, Page 17, Steno Manual). There is no requirement for synopsis in case of inserts or FD-302's forwarded as inserts regardless of length.

Advantages of suggestion and annual savings (include basis for estimate)

Agent conducting the investigation is in the best position to clearly and concisely furnish a brief synopsis of the investigation conducted. The synopsis would be prepared and forwarded to 00 along with results of investigation and would require less time and effort than would be required if the synopsis were prepared at a later time by another Agent unfamiliar with the investigation conducted. The synopsis would be set forth on the communication used to forward the inserts or FD-302's, thus requiring a minimum of steno time and no extra paper. The synopsis would be of invaluable assistance to the Supervisor and the coordinating Agent handling the case in the 00.

Disadvantages of suggestion

There are no apparent disadvantages to this suggestion.

(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States. I understand that I will be considered for any justified award only if my suggestion is adopted within two years after submission.)

☒ Mr. ☐ Mrs. ☐ Miss

Signature and Title of Suggester

Recommendations and comments of Division Head

This is a definite time saver, therefore, I recommend adoption. The originating agent can handle a synopsis with but little effort, however, the entire data must be reviewed by the receiving office much of which (cont'd. on next page)

CHARLES W. BROWN, Sp. Agt. in Chg.

(Do not write in this space - for Bureau use only)

REC-66

EX-108

66-2435-2328

Recommendations and comments of Division Head (Cont'd.)

may be of little or no assistance yet full examination is necessary to so determine. Thus 10 interviews completely negative might be synopsized "all interviews at Richmond, Va., negative as to whereabouts of fugitive".

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Mohr *mm*

DATE: February 3, 1961

FROM : J. F. Malone *JFM*SUBJECT: TITLE 18, U. S. CODE, SECTION 3500
THE JENCKS ACT
REPORT WRITING*Reports*

Tolson	_____
Moht	_____
Parsons	_____
Belmont	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Malone	_____
McGuire	_____
Rosen	_____
Trotter	_____
Evans	_____
W. C. Sullivan	_____
Tele. Room	_____
Ingram	_____
Gandy	_____

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With the consent of the Department we adopted a post-Jencks procedure of permitting destruction of an Agent's investigative notes of interview with a potential Government witness after the Agent has prepared his FD-302, otherwise known as the Interview Report Form. We have recurrently checked the Criminal Division of the Department on this procedure and they have continued to tell us that they see no reason to change.

The latest pertinent development is that in Campbell v. U.S., decided January 23, 1961, the Supreme Court sent the case back to the trial court for a second look at the defense contention that it should have been given certain documents. In taking this action, however, the Court split five to four on the question whether the defense would be entitled only to documents presently in possession of the Government or documents which have ever at any time been in the Government's possession. The minority of four made it plain they believe that the defense is not entitled to any document except that presently in possession of the Government; whereas, the majority of five did not decide but hinted that if the Government has ever had a pertinent document in its possession and does not deliver that document up to the defense on demand at the trial then the testimony of the witness must be stricken. This could conceivably be carried so far as to require the Government to retain and produce, under appropriate circumstances, every scrap of paper they ever used to record a story of a witness, including the investigative notes of the Agent made during the interview.

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We suggest that the question of destroying notes should again be taken up with the Department at this time.

Also, it is suggested that we raise to the Department the question whether the elapsed time of an Agent's interview with a potential Government witness should be made a matter of record. We warned the field nearly a year ago in SAC Letter 60-13(C) that trial judges, in determining whether a

Enclosure *sent 2-7-61*

1 - Mr. Courtney Evans (Encl.)

1 - Mr. Parsons (Encl.)

1 - Mr. Edwards (Encl.)

1 - [redacted] (Encl.)

DJD:ncv (6) *F-59*

4 XEROX
FEB 20 1961
VFW

66-2435-
NOT RECORDED
46 FEB 20 1961

TWO THREE

ORIGINAL COPY FILED IN

Memo to Mr. Mohr
Re: Title 18, U.S. Code, Section 3500

memorandum of an interview is a "statement" of the witness within the terms of the act, would be asking Agents how long they interviewed the witness. The views expressed by the Court in the [redacted] case make it clear that this question is going to be asked constantly of the Agents from now on. For example, to determine whether a report of interview with a witness is a "statement" within the meaning of the Jencks Act, the trial judge must have "the help of extrinsic evidence" to be obtained by questioning the Government Agent who interviewed the witness, and in discussing the key question whether the paper involved here was a "statement" it was observed that "In Palermo, the document was a 600-word summary of a 3-1/2 hour conference, which we held was clearly not a virtually verbatim transcript. 360 U.S., at 355, n. 12. The Interview Report here comes to slightly over 500 words. But the record is silent as to the duration of the interview." That makes the question sufficiently important to warrant asking the Department whether the elapsed time of interview should be recorded and, if so, whether that record should appear on the face of FD-302 (Interview Report Form) which the defense asks to see under the terms of the Jencks Act.

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RECOMMENDATION:

That the attached letter be sent to Acting Assistant Attorney General, Criminal Division.

D-1

P

R



Ch.

h

SAC, Batte

1/30/61

Director, FBI

CRIMINAL INFORMANTS

Investigative Reports

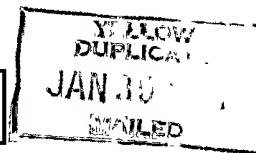
Reurlet 1/12/61.

Recording information which may become testimony whether received from a symbol number criminal informant (CI) or a potential criminal informant (PCI) should be handled in the same manner for complete uniformity. This procedure was instituted to protect the identity of our informants to the greatest degree possible. Standardization eliminates a decision by the stenographer as to the method of recording this type of information by providing one basic rule whether the source be a CI or PCI. As you have pointed out, the PCI's name is set forth on the carbon copy of the FD-299 that is attached as a cover sheet to the carbon copy of the FD-302 which is filed in the substantive case file. It is felt that the uniform procedure of not typing any informant's name on copies of the FD-302 better serves to eliminate the possibility that a CI's name will be associated with his symbol number in other than his [] classification file.

Bufile 66-2542

① - Bufile 66-2435

1 - Mr. Rosen (Attention: [])



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b7D

JVC:dlh

(6)

NOTE: SAC recommends changing manual to have current instructions re recording information received from CI's and PCI's which may become testimony be made to apply to CI's only. Insofar as not typing name of informant on copies of FD-302 filed in substantive case files, Memo Mr. Tamm to Mr. Tolson dated 10/3/58 captioned "Criminal Informants" set up existing procedures to protect identity of informant to greatest degree possible. There have been no inquiries from the field which indicated this to be any problem in the past. Suggested procedure by SAC would cause an exception to existing instructions that serves no useful purpose and saves little, if any, stenographic time.

66-2435-
NOT RECORDED

198 FEB 2 1961

68 FEB 8 1961

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nahoe
ore

SAC, Miami (105-2829)

2/6/61

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Director, FBI (105-90192)

IS - DOMINICAN REPUBLIC
REGISTRATION ACT - DOMINICAN REPUBLIC

Reurlet 1/23/61 and re report of SA Leman L. Stafford, Jr., dated 12/30/60 at Miami, Florida.

Referenced report has been carefully reviewed and the only references made to [redacted] noted therein are contained in the interview with [redacted] of Miami Beach, Florida, a long-time acquaintance of subject. [redacted] during the interview, furnished information concerning his knowledge of the subject's contacts with [redacted]. Nothing is contained in the interview with [redacted] which would reasonably lead one to conclude that we have an investigative interest in [redacted]. The fact of the matter is that we have no current investigation pending on [redacted] and we are neither investigating him directly or collaterally.

You must remember that the purpose of the investigation in this particular case is to determine if the subject is engaged in activities on behalf of the Dominican Republic or a principal representing that Government whereby he may have incurred the obligation to register pursuant to the provisions of the Foreign Agents Registration Act of 1938, as amended. Determining the nature of the subject's contact with [redacted] is, of course, a pertinent investigative step to ascertain if the subject may be acting as agent of [redacted]. However, the subject is the one who is under investigation and not [redacted].

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GCM:bjs
(6)

① - 66-2435 (Report Writing)

NOTE: Subject is the operator of a supper club in Hollywood, California, and a former headwaiter in a Miami hotel. He is currently being investigated to determine if he has incurred the obligation to register. Basis of investigation is primarily based on information that he has been in close and frequent contact with [redacted] Dominican Republic. Reference report was classified "Confidential" by Miami and reason given on

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63 FEB 8 1961



NOTE CONTINUED PAGE TWO

Letter to SAC, Miami

Re: [redacted]

105-90192

cover pages was that "It reflects the Bureau's investigative interest in a Dominican official, namely [redacted]" By 0-17 form dated 1/18/61 we instructed Miami to declassify referenced report as it contained no information indicating the FBI has an investigative interest in an official of a foreign government.

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Miami, by incoming letter of 1/23/61, has advised that we have been endeavoring to determine the reasons for subject's contacts with [redacted] and, therefore, it would appear that we must collaterally have an investigative interest in [redacted] Miami calls this a debatable point [redacted] or not the report shows an investigative interest in [redacted] and would appreciate any observations the Bureau might desire to make.

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (105-90192)

DATE: January 23, 1961

FROM : SAC, Miami (105-2829)

SUBJECT:

IS - DR; RA - DR
(OO: Miami)

Re O-17 form, 1/18/61, making reference to report of SA [redacted] dated 12/30/60 at Miami, scoring non-substantive error and instructing this report be declassified inasmuch as there is "no information in referenced report indicating that FBI has an investigative interest in an official of a foreign government, which was reason given for classifying report."

One of the most significant reasons for originally opening this investigation was the number of calls made by subject to [redacted] of the Dominican Republic.

To anyone reading the referenced report, it is apparent that we have been endeavoring to determine the reasons for subject's contacts with [redacted]. In doing so, it is respectfully suggested that to anyone reading this report, it would appear that since we are investigating RAPT and trying to determine his reasons for contacting [redacted] we must collaterally have an investigative interest in [redacted].

Inasmuch as this debatable point may arise in other reports and in order that we may have a clear understanding with respect to this point in the future, any further observations which the Bureau might desire to make would be appreciated.

P.

3 - Bureau (RM)

① - 66-

(Report Writing)

3 - Miami

1 - 66-1521 (Report Writing)

HRA:egh
(6)

66-2435-
NOT RECORDED
JAN 26 1961

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ORIGINAL

REC- 35

February 24, 1961

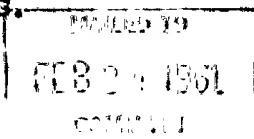
PERSONAL

[Redacted]
Federal Bureau of Investigation
Albany, New York

Dear [Redacted]

I have received your suggestion regarding a revision of Form FD-263. Careful consideration is being given to your idea and I will let you know if it is adopted.

I want to thank you for giving me the benefit of your observations.



Sincerely yours,

J. Edgar Hoover

- 1 - SAC, Albany
- 1 - Personnel file of [Redacted]

JER:bmw (Suggestion #432-61, dated 2-16-61)

(5)

NOTE:

Referred to the Files and Communications and Training and Inspection Division for views and recommendations.

Tolson _____
Parsons _____
Mohr _____
Belmont _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Tavel _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

MAIL ROOM ☐

TELETYPE UNIT ☐

53 MAR 6 1961

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FEB 25 5 41 PM '61

435-61.

Date

2/16/61

To:

Director, FBI

From: (Suggester's name)

Division of Assignment

Albany

b6
b7C

SUGGESTION

Revision of FD-263. In lieu of stamp now employed on file copies of reports and other communications, it is suggested that the Bureau may wish to have this stamp imprinted on the next supply of FD-263's that are printed as well as on all other report cover forms. It is quite confusing at present to decipher all the initials on a report unless the person is familiar with the writing. By this stamp being imprinted, it would make for uniformity in the Field as well as giving a neater appearing serial as all the initials would be in one place except the place for the desk to sign the report. It is suggested that the stamp be imprinted as set out below:

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b7C

(See attached)

Current practice or rule (Include manual citation as well as facts) Communications must be individually stamped.

Advantages of suggestion and annual savings (include basis for estimate)

Would save clerical time, make for uniformity and neatness.

O R. 15

Disadvantages of suggestion

None.

(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States. I understand that I will be considered adopted within two years after submission.)

☒ Mr.

☐ Mrs.

☐ M

Signature and Title of Suggester

Recommendations and comments of Division Head

It is recommended favorable consideration be given this suggestion.

SPECIAL AGENT Signature and Title IN CHARGE

(Do not write in this space - for Bureau use only)

REC- 35

62-2935-2529

8 FEB 20 1961

Handwritten notes and signatures at the bottom right of the page.

SEARCHED _____

PROOFREAD _____

SERIALIZED _____

POSTED _____

INDEXED _____

FILED _____

~~CONFIDENTIAL~~

(E)-2 STREAMLINING PROCEDURES - CHANNELIZING MEMORANDA -- Numerous channelizing memoranda, particularly in large offices operating a large number of live informants, are presenting an increasingly critical space problem and demands for extra file cabinets. C

INVESTIGATIVE REPORTS

In June, 1960, the Chicago and San Francisco Offices were authorized to destroy channelizing memoranda following submission of reports in security cases on an experimental basis to determine the feasibility of adopting this practice throughout the field.

Based upon the favorable results obtained in these offices, particularly in savings in file space and streamlining of case files, the Bureau is authorizing the destruction of these channelizing memoranda following submission of reports in both individual and organizational security cases.

In devising procedures for the handling of this matter you should be guided by the following:

(1) The current procedure with regard to filing the original informant report, the filing of the master channelizing memoranda in the informant file and the serializing of channelizing memoranda in the substantive case files will be continued as at present.

(2) The Agent, at the time he dictates the report, will prepare a memorandum listing the channelizing memoranda to be destroyed by serial or serial scope and requesting the Chief Clerk's Office to destroy. The memorandum should indicate that pertinent information contained in the serials to be destroyed was incorporated in the report. It will not be necessary to set forth in this destruction memorandum the file and serial number of original informant reports or master channelizing memoranda as this information will be listed in the cover pages to the report. In the case of multiple volumes, the destruction memorandum should be prepared by the Agent in sufficient numbers so that one copy will appear in each volume of the multiple volume file being stripped.

(3) Prior to destruction, the Agent's recommendations with respect thereto are to be reviewed and approved by the Supervisor at the time he reviews and approves the report.

(4) Following destruction of the channelizing memoranda the Chief Clerk will so note on the memorandum. Thereafter, the memorandum will be filed in the case file as a permanent record of the serials destroyed.

2/21/61

SAC LETTER NO. 61-8

NOT RECORDED

CLASS. & EXT. BY 6383 102 FEB 20 1961

DATE OF REVIEW 5/8/91

57 MAR 1 1961

~~CONFIDENTIAL~~

ORIGINAL FILED IN 66-2435-21

~~CONFIDENTIAL~~

(5) Technical and microphone surveillance channelizing memoranda may be destroyed without the necessity of identifying in the cover pages of the report the exact location in the office files of the original information. The use of an asterisk identifies the source and the original information can be readily located. ~~8~~

The channelizing memorandum should not be destroyed in the following instances:

(1) When the original information is not contained elsewhere in your office.

(2) Do not destroy serial one of a file regardless of its nature.

(3) Do not destroy any serial containing indexing. It would appear that if indexing was necessary to channelizing memoranda, such indexing would only be done in the main case file as set forth in the title of the communication.

(4) Do not destroy serial showing "action" information. For example, opening, closing, posting, or instructions given by a Supervisor to an Agent concerning the case.

The destruction of these channelizing memoranda should be subject to close supervisory control by you to insure that all pertinent information contained in these memoranda is reported in the investigative report.

Very truly yours,

John Edgar Hoover

Director

Enclosure for (C)

2/21/61
SAC LETTER NO. 61-8

- 5 -

~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Mohr

DATE: 3/9/61

FROM : J. F. Malone *JFM*

SUBJECT: SUGGESTION #432-61 Submitted by
CLERK [REDACTED]
ALBANY OFFICE

Tolson _____
Parsons _____
Mohr _____
Belmont _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone *JFM* _____
Rosen _____ b6
Tavel _____ b7C
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____ b6
Gandy _____ b7C

Report

SUGGESTION: That Form FD-263 (Cover page for Investigative Report) be revised to have a stamp imprinted on it (copy attached) as well as other report cover forms.

PRESENT PRACTICE: Communications are individually stamped.

ADVANTAGES: Save clerical time and make for uniformity and neatness.

OBSERVATIONS: SAC Fitzgibbon of the Albany Office recommended favorable consideration. Files and Communications Division considered the suggestion and [REDACTED] of Records Branch recommended that it not be adopted. If the field block were preprinted on the form, would logically occupy the space where the Bureau block must appear. Thus, the system would be unworkable unless separate forms were used by the field and Bureau at considerable cost and confusion. The imprinted block as suggested could not provide the receipt date which must be stamped on each incoming piece of mail which would involve an additional operation. At the present time blocking and dating are done by one stamp so little time, if any, would be saved by adopting the suggestion.

[REDACTED] of the Training and Inspection Division thought the idea had merit but agreed with the Files and Communications Division that the block, if preprinted in the logical place would interfere with the Bureau block.

RECOMMENDATION:

That the suggestion not be adopted. On approval no further action is necessary as previous acknowledgment was made by letter to the suggester.

Enclosure
JER: smr

(2)
51 MAR 22 1961

XEROX
MAR 16 1961

REC-72

EX-113

66-2435-2530

UNRECORDED COPY FILED IN 66-3482

(D) REPORT WRITING - SECURITY CASES -- It has been noted that on occasions some field offices fail to include in security reports information previously submitted for dissemination by letterhead memoranda. Apparently this omission is made on the theory that to include it in a subsequent report would be repetitious and an unnecessary expenditure of time. Page 33, Part I, FBI Handbook, indicates the results of investigations in security cases should generally be submitted in reports, and page 31, Part I, FBI Handbook, defines a report as a written document containing the results of an investigation as of a certain date. According to this definition, a report should be complete in itself and should contain all pertinent and material information obtained since the submission of a previous report or since the inception of an investigation.

This is being called to your attention so that in the future there will be no misunderstanding and all field offices will, when submitting reports in security cases, include succinctly all pertinent and material information previously submitted for dissemination in letterhead memoranda. You are also cautioned that letterhead memoranda containing information which will later be placed in reports should only be submitted when it is believed expeditious dissemination of the particular information must be made and time is of the essence.

These instructions are intended to amplify and not to change in any way present rules relating to report writing.

Very truly yours,

John Edgar Hoover

Director

3/7/61
SAC LETTER NO. 61-12

- 3 -

Investigative Reports

166-2435-
NOT RECORDED
167 MAR 16 1961

52 MAR 17 1961

ORIGINAL COPY FILED IN

66-04-3063

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. A. H. Belmont

DATE: February 27, 1961

FROM : Mr. J. F. Bland

SUBJECT: STREAMLINING PROCEDURES - CHANNELIZING MEMORANDA

Tolson _____
 Parsons _____
 Mohr _____
 Belmont _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Tavel _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

The instructions contained in SAC Letter 61-8 (E) dated February 21, 1961, dealing with the destruction of channelizing memoranda in security cases following submission of reports necessitate Manual changes.

ACTION:

Investigative Reports

- There are attached proposed Manual changes. If you approve, this memorandum and attachments should be forwarded to the Training and Inspection Division for appropriate attention.

Enclosures

- 1 - Training and Inspection Div.
 1 - Mr. Belmont
 1 - Mr. Bland
 1 - Mr. Rushing

ENCLOSURE

TDR/fbm
(5)

ENCLOSURE

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8-10-82 BY SP4 ELW/CAL

66-2435-
 NOT RECORDED
 167 MAR 15 1961

Manual of Instructions

Manual of Rules and

Regulations

33 MAR 17 1961
 cc-66-1934

3 XEROX
 MAR 14 1961
 YMS

12 MAR 14 1961

2-fab

ORIGINAL COPY FILED IN 100-00-1490

1 - Training and Inspection Div.
1 - Mr. Belmont
1 - Mr. Bland
1 - Mr. Rushing

February 27, 1961

PROPOSED MANUAL CHANGES

Section 87D of the Manual of Instructions should be amended by adding the following as Item 7 (g), page 79:

"(g) Channelizing memoranda, destruction of following submission of reports in security cases

"Channelizing memoranda in organizational and individual security case files may be destroyed following submission of reports in these cases. In destroying these memoranda be guided by the following instructions:

"(1) The Agent, at the time he dictates the report, will prepare a memorandum listing the channelizing memoranda to be destroyed by serial or serial scope and requesting the Chief Clerk's Office to destroy. This memorandum should indicate that pertinent information contained in the serials to be destroyed was incorporated in the report.

"(2) The cover pages to the report will list the file and serial number of the original informant reports or master channelizing memoranda.

"(3) In the case of multiple volumes the destruction memorandum should be prepared by the Agent in sufficient numbers so that one copy will appear in each volume of the multiple volume file being stripped.

"(4) Prior to destruction, the Agent's recommendations are to be reviewed and approved by the Supervisor at the time he reviews and approves the report.

Tolson _____
Parsons _____
Mohr _____
Belmont _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Tavel _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

NOTE: See memo Bland to Belmont dated 2/27/61 captioned "Streamlining Procedures - Channelizing Memoranda"; TDR/fbm. No Handbook changes necessary.

TDR/fbm
(7)

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

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QAS
FBI

65-2435
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JPM
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QAS

Proposed Manual Changes

"(5) Employee destroying the channelizing memoranda must place date of destruction and his initials on the destruction memorandum. Thereafter, this memorandum will be filed in the case file as a permanent record of the serials destroyed."

"(6) Technical and microphone surveillance channelizing memoranda may be destroyed without the necessity of identifying in the cover pages of the report the exact location in the office files of the original information. The use of an asterisk identifies the source and the original information can be readily located."

"(7) Do not destroy channelizing memoranda in the following instances:

"(a) When the original information is not contained elsewhere in your office."

"(b) Serial one of a file regardless of its nature."

"(c) Serials containing indexing. It would appear that if indexing was necessary to channelizing memoranda, such indexing would only be done in the main case file as set forth in the title of the communication."

"(d) Serials showing 'action' information. For example, opening, closing, posting, or instructions given by a supervisor to an Agent concerning the case."

"The destruction of these channelizing memoranda should be subject to close supervisory control to insure that all pertinent information contained in these memoranda is reported in the investigative report."

The following should be added as Item M 6, page 17,
Section 107M of the Manual of Instructions:

"Channelizing memoranda, destruction of following submission of reports in security cases. For instructions concerning the destruction of channelizing memoranda in security cases"

Proposed Manual Changes

following submission of reports, see
Section 7, Item 7 (g), Manual of
Instructions."

The present Items M 6 through M 11 on page 17 of 107M, Manual of Instructions, should be renumbered as Item 7 through 12, respectively.

1-Training & Inspection Div.
1-Mr. Belmont
1-Mr. Bland
1-Mr. Rushing

February 27, 1961

**PROPOSED CHANGES IN THE
MANUAL OF RULES AND REGULATIONS**

The following should be added as Item (6) under the heading "Files and records which are to be destroyed when they have served the purpose for which prepared" appearing in Part II, Section 3, page 15a of the Manual of Rules and Regulations:

"Channelizing memoranda in security cases following submission of reports. For detailed instructions see Section 87D, Item 7 (c) of the Manual of Instructions."

NOTE: See memo Bland to Belmont dated 2/27/61 captioned "Streamlining Procedures - Channelizing Memoranda"; TDR/fbm. No Handbook changes necessary.

Tolson _____
Parsons _____
Mohr _____
Belmont _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Tavel _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

TDR/fbm
(7)

REC'D - FBI
FEB 28 1961

ENCLOSURE

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

66-2435-

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (100-00)

DATE: 1/11/61

FROM : SAC, SAN FRANCISCO (66-1696)

SUBJECT: STREAMLINING PROCEDURES
CHANNELIZING MEMORANDA

ReBulet 6/22/60 and San Francisco let 7/7/60.

Investigative ReBulet authorized San Francisco to initiate a program of destruction of channelizing memoranda following the submission of reports, for a period of six months.

Statistics maintained for the six-month period 7/11/60 to 1/6/61 show that 328" of such memoranda have been destroyed, a rate that would save San Francisco more than 54' of file space each year. San Francisco uses open shelf filing in closed files.

The CCO in San Francisco estimates that the enclosure clerk who destroys the memoranda spends approximately two hours per day on this project.

It is believed that in addition to the space saved this program facilitates file reviews and has to date shown no disadvantages.

It is recommended that it be continued in San Francisco and that consideration be given to utilizing it throughout the Field.

2 - Bureau (100-00)
1 - Chicago (100-34283)
1 - San Francisco
RSB:hko
(4)

NOT RECORDED

MAR 15 1961

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-10-82 BY SP4 ELW/CAL

66-2435-

MAR 14 1961

TWO

2 XEROX
MAR 14 1961
VPS

5/23/61
MAR 17 1961
TDF/jm

ORIGINAL COPY FILED IN 100-00-148

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (100-00)

DATE: January 4, 1961

FROM : SAC, CHICAGO (100-34283)

SUBJECT: STREAMLINING PROCEDURES
CHANNELIZING MEMORANDA

Investigative Reports

ReBulets 6/22/60 and 11/15/60.

In accordance with Bureau instructions, Chicago has on a trial basis conducted an experimental project together with San Francisco in connection with destruction of channelizing memoranda and accordingly there is set forth the following results, observations and suggestions:

Statistics were maintained for a period slightly in excess of four months, between August 18, 1960 and December 31, 1960. During this period a total of 583 inches or 21 file drawers and 16 inches of space was saved. On an annual basis, Chicago alone would save in excess of 60 drawers of space per year. Figured on a cubic feet basis this would amount to 168.8 cubic feet of space. It might also be observed that Chicago is one of the major offices along with San Francisco, Los Angeles and New York which has a problem handling channelizing memoranda.

Methods Utilized in Experiment by Chicago Office

Agents in the initial stages of this program were furnished with memoranda instructing them that in preparing reports, they were also to prepare a destruction memorandum request which in substance identified the case by name and file number, the date of the report, and the identity of the reporting agent, with the request that the CCO was to pull and destroy certain serials, the pertinent information of which had been incorporated into the report. Thereafter, the agent in the same memorandum, identified the serial number in the one column and the location of the original information in the informant's file in the second column. The CCO utilized this memorandum to pull the serials to be destroyed.

2 - Bureau

1 - San Francisco

1 - Chicago

CNF:JVK

(4)

NOT RECORDED

67 MAR 15 1961

RECEIVED - FBI

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The destruction memorandum request thereafter followed the report and all volumes of the file (if there were multiple volumes) to the supervisor's desk. At the desk and following the reading of the report the memorandum was blockstamped by the supervisor who inserted the name of the agent making the request in the blockstamp. The supervisor noted on the destruction memorandum that the CCO should pull the requested serials.

After the report was signed and sent to the mail room it was routed to posting and from posting to a clerk who pulled the serials from the file. The serials and file were then routed to the agent making the request to review the serials and advise the supervisor that all the work requested had been done. The supervisor checked the serials and noted on the original destruction memorandum authority for the CCO to destroy the serials. At this point the file and serials were again routed to the clerk responsible for the destruction and the serials were accordingly destroyed.

The procedure calling for the returning of the serials to the agent for checking and for final authority of the supervisor to destroy was adopted as a check on the CCO and also as an educational device for the agent until both the agent and the CCO became thoroughly familiar with the procedure. After this trial period and if the destruction process is continued by the Bureau it is expected that this step can be eliminated and the supervisor will, at the time the report is signed out, note on the memorandum the authority for the CCO to pull and destroy the serials. Under this procedure it would then be anticipated that the CCO will then return the file to the supervisor for a final notation on the destruction serial by the supervisor.

Additional Instructions to Agent

In setting up the instructions for the experiment and for the agent to follow in reference to the serials that could be destroyed the following instructions were issued:

- 1) Destruction only permitted on channelizing memoranda where the original information is retained in another file.

2) Serial one of a file, regardless of its nature, is never destroyed.

3) No serial containing indexing can be destroyed.

4) No serial reflecting "action" information, for example, the opening, closing, posting, or instructions given by a supervisor to an agent concerning the case, may be destroyed.

5) Tesur and misur channelizing Memoranda are permitted to be destroyed since the use of an asterisk identifies the source and its original information, which can be readily located, is filed elsewhere by date.

Time Spent by CCO

During the trial period of slightly in excess of four months, the CCO utilized approximately 124 hours and 54 minutes or 15 days, 4 hours and 54 minutes. It is emphasized that this was during a trial period and it is believed that this time could be cut down by the adoption of some additional suggestions which will be hereinafter mentioned.

Benefits

1) Extensive present and future savings in file space were accomplished. As indicated previously in excess of 21 drawers and 16 inches (27 inches equal one drawer) were saved in slightly over four months which would mean an excess of 60 file drawers annually could be saved.

2) Multiple volumes in security cases in the 100 classification were condensed enabling quicker file reviews in the future. In one case in excess of four volumes of material was destroyed on one individual security matter case.

3) The CCO during the trial period was able to utilize the file space saved in connection with all expansion requirements in the Chicago office in the 100 classification category.

This saving of space resulted in a corresponding savings of time in the CCO which would have been utilized in connection with expansion requirements in the 100 category had this program not have been in effect.

No weaknesses in the system were noted during the experimental period by this office.

Observations and Recommendations Made
in Connection with Chicago Inspection of
Inspector R. K. MOORE, 11/30/60

Inspector R. K. MOORE in connection with his inspection in November, 1960 noted that a considerable amount of agent time was needed in preparing the destruction memorandum in longhand in its present form especially where multiple volume files were involved. In some cases as many as 15 pages of longhand material in two columns was prepared by the agents in a single case.

He noted that under the present system the agent (Chicago utilized the suggested form of the Bureau listing serials in column 1 and the location of original information in column 2) was required to advise in two columns in detail the serials to be destroyed as well as the original location of each serial destroyed. The inspection report comments that the same purpose would be served insofar as the information required in column one of the memorandum read in effect "Destroy all serials in volume _____ except serials _____."

Continuing, Inspector MOORE noted that the information required in Column 2, that is, the location of the original report or document, is a duplication of information appearing in column two of the cover pages of the security report which the agent had just prepared and he therefore recommended that column two of this memorandum should be eliminated. He noted that this step alone will reduce the paper work required of the agent preparing this memorandum by at least 50 per cent.

Continuing, Inspector MOORE noted that in preparing the destruction memorandum in cases where there are multiple volumes, these memoranda in the future should be prepared by the agent in sufficient numbers so that one copy will appear in each volume of the multiple volume file which has been stripped, thus accounting for any serials in the particular volume which are missing. This, it was noted, would eliminate the present practice of the Chicago office in these cases of having the CCO prepare charge out slips for each volume where memoranda have been destroyed noting thereon that the missing serials of the volume have been destroyed and referring back to the original destruction memorandum appearing in

another volume. The Inspector felt that this practice alone would eliminate an estimated five to ten per cent of the clerical work required.

The Inspector also suggested the desirability of preparing these destruction memoranda on distinctive colored paper so as to allow ready access to the memorandum by the agents in the future.

Chicago concurs in the observation of Inspector MOORE as noted above. The further observation is made that the suggested duplicate memorandum for multiple volume files could be prepared by the use of pencil and carbon paper and that it would be advisable particularly in multiple volume cases that one copy of the original destruction memorandum be placed as a floater serial on the top of each multiple volume where destruction has taken place. This will allow easy accountability for destroyed serials both for the office and during inspection.

In summary, insofar as Chicago is concerned, the experiment has proven its worth and a continuation appears to be most desirable. Much file space has been saved, expansion problems have been eliminated in the 100 classification and to date no defects have been noted.

It is respectfully suggested that serious consideration be given however to the suggestions of Inspector MOORE in reference to his observations concerning the duplication of work requirements by using a column two and specifically itemize serials for column 1 when a general statement such as he suggested would appear to suffice.

Investigative Reports

Re: STREAMLINING PROCEDURES -
CHANNELIZING MEMORANDA

I have checked with our Security supervisors here in New York who feel that the attached proposed SAC Letter is excellent, well conceived, and they can foresee no reason why the instructions could not be handled in the field. With reference to the possible concern about the last item on page two pertaining to serials containing indexing, this should not create a problem since we index only on the principal serial in the main case file as set forth in the title of the communication. Therefore, there will be only one copy of the channelizing memorandum which will be retained, thus not presenting any problem from a destruction or space standpoint.

It is our feelings that the instructions should be issued as prepared in the attached proposed SAC Letter.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-10-82 BY SP4 ELW/cpl

66-2435-
NOT RECORDED
267 MAR 15 1961

2 XEROX
MAR 14 1961
Vpd

NOT RECORDED
12 MAR 14 1961

57 MAR 17 1961

ORIGINAL COPY FILED IN

100 00 - 1488

Reports

(E) REPORT WRITING -- It has come to my attention that some auxiliary offices are forwarding the results of their investigations to offices of origin by insert form when an investigative report should be prepared. The Manual of Rules and Regulations and the FBI Handbook for Special Agents clearly state that inserts should be sent only in those instances where the results of investigation by auxiliary office are "of no immediate benefit in the solution of the case or location of the subject."

You have further been instructed that good judgment should prevail and economy and efficiency should be considered when transmitting results of investigation to office of origin. Office of origin should closely supervise this phase of its responsibility and in the future return to the auxiliary office inserts where an investigative report should have been written, instructing that same be done. Any questions which might arise should be resolved by following the instructions of the office of origin immediately and if you feel these instructions are unwarranted, the matter should be brought to the attention of the Training and Inspection Division.

2/28/61
SAC LETTER NO. 61-9

- 3 -

1 66-2485-
NOT RECORDED
46 MAR 7 1961

67 MAR 8 - 1961

ORIGINAL COPY FILED IN
66-2485

UNITED STATES GOVERNMENT

Memorandum

TO : MR. MC GUIRE

DATE: 2-24-61

FROM : L. E. SHORT

SUBJECT: SUGGESTION NUMBER 432-61

Tolson _____
 Parsons _____
 Mohr _____
 Belmont _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Tavel _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

Reference attached submission by [redacted] clerk, Albany Field Division, dated 2-16-61, which suggests the field office routing and action block be included at the time form FD-263 is printed. He states his idea would, if adopted, add uniformity and make for a neater appearing serial after all initialing is completed.

The Records Branch of the Files and Communications Division is opposed to this suggestion primarily for the reason that the field block, if preprinted on the form, would occupy the space where the Bureau block must appear. Thus the system would be unworkable for this reason unless separate forms were used by the field and Bureau at considerable extra cost. It also must be noted that the imprinted block could not provide the receipt date which must be stamped on each incoming piece of mail. Thus in order to complete the job properly, each item would require date stamping. At the present time blocking and dating are accomplished by the use of one stamp. Consequently, very little time, if any, would be saved by adopting [redacted] suggestion.

RECOMMENDATIONS:

(1) In view of the above, it is recommended that the attached suggestion not be given favorable consideration.

(2) That instant memorandum, together with [redacted] suggestion, be returned to the Training and Inspection Division for their attention and appropriate action.

OGM:bnc
 (5)
 Enclosure

REC-72

66-2435-2531

XEROX
 MAR 16 1961

EX-113

50 MAR 23 1961

UNRECORDED COPY FILED IN 66-3482

432-61

Date

2/16/61

To:

Director, FBI

From: (Suggester's name)

Division of Assignment

Albany

b6
b7C

SUGGESTION

Revision of FD-263. In lieu of stamp now employed on file copies of reports and other communications, it is suggested that the Bureau may wish to have this stamp imprinted on the next supply of FD-263's that are printed as well as on all other report cover forms. It is quite confusing at present to decipher all the initials on a report unless the person is familiar with the writing. By this stamp being imprinted, it would make for uniformity in the Field as well as eliminate the clutter appearing serial as all the initials would be in one place except the place for the desk to sign the report. It is suggested that the stamp be imprinted as set out below:

(See attached)

Current practice or rule (Include manual citation as well as facts)

Communications must be individually stamped.

Advantages of suggestion and annual savings (include basis for estimate)

Would save clerical time, make for uniformity and neatness.

b6
b7C

Disadvantages of suggestion

None.

(The use by the United States of my suggestion shall not form the basis of any claim against the United States. I understand that I will be considered within two years after submission.)

☒ Mr. ☐ Mrs. ☐ Miss

Signature, or
is adopted

Recommendations and comments of Division Head

It is recommended favorable consideration be given this suggestion.

SPECIAL AGENT

IN CHARGE

(Do not write in this space - for Bureau use only)

SEARCHED _____

PROOFREAD _____

SERIALIZED _____

POSTED _____

INDEXED _____

FILED _____

11-2435 2531

UNITED STATES

Memo

TO : Mr. Edwards *HW*

DATE: March 17, 1961

FROM : D. J. Dalbey *DJ*SUBJECT: U. S.
BANK ROBBERY

Tolson _____
 Parsons _____
 Mohr _____
 Belmont _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Tavel _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

b6
 b7C

Reports

This is to advise you of the fact that I advised SAC Laughlin, Boston, approximately 3:20 P. M., on Tuesday, 3/14/61, concerning a matter which came up in the captioned case and is within the province of this division.

SAC Laughlin had previously talked to someone in the General Investigative Division and was referred to this division because of some statement concerning research which I had done on the meaning of the Supreme Court's decision in the captioned case. Laughlin told me that he had been subpoenaed to testify within a half hour in a rehearing of this case in the Federal District Court in Boston. He wanted to know whether the Supreme Court's decision in this case had made any change in the Bureau's rules - or required any change - concerning the keeping or disposal of notes of interview with the witness after a report of that interview had been prepared. I advised him that there had been no change in the rule. *B*

RECOMMENDATION:

None. For information.

REC-33

66-2435-2532

12 MAR 20 1961

DJD:hcv
 (2)

77
 APR 12 1961

E-117

File in

66-2435

File

UNITED STATES

Memo

TO : Mr. Mohr

DATE: 3/15/61

FROM : J. F. Malone

SUBJECT: SUGGESTION #474-61
SUBMITTED BY SA [REDACTED]
DETROIT OFFICE

Tolson _____
 Parsons _____
 Mohr _____
 Belmont _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Tavel _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

b6
b7C

SUGGESTION: That the ~~period~~ of investigation be set out after the caption ~~in communication other than reports from other offices~~ when there is a possibility that the incoming information will subsequently be recorded in a report by the receiving offices.

PRESENT PROCEDURE: First and last dates of investigative period are required.

ADVANTAGES: Employees preparing reports could quickly ascertain the accurate period of investigation without reviewing all incoming correspondence in great detail.

OBSERVATIONS: SAC Hostetter of the Detroit Office recommended adoption.

The Training and Inspection Division is opposed to adoption of the suggestion. In the first place incoming material must be read to determine what, if anything, is to be reported and only the portion reported will be considered with respect to the investigative period. This determination is made by the office of origin and cannot be decided by auxiliary offices unless inserts in their entirety are included on the report. Otherwise, no useful purpose would be served by the auxiliary office adding the investigative period to correspondence.

RECOMMENDATION:

That the suggestion not be adopted. On approval no further action is necessary as the suggester was thanked previously by letter.

JER:het
(2)

EX-113

REC-73

66-2435-2533

MAR 20 1961

63 MAR 24 1961

Report Writing

UNITED STATES

Memor

TO : Mr. Mohr

DATE: 3/20/61

FROM : J. F. Malone

SUBJECT: SUGGESTION #419-61

SUBMITTED BY [REDACTED]
PARIS LEGAL ATTACHE'S OFFICE

Tolson _____
 Parsons _____
 Mohr _____
 Belmont _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Tavel _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

JEFFREY
 b6
 b7C

SUGGESTION: That date and place of birth of subjects in investigative cases be set forth either in the caption or first paragraph of all letters, letterhead memoranda and reports. Also, that the maiden name of a married woman be set forth as [REDACTED] rather than [REDACTED], to insure correct name since family names are sometimes used as second names.

PRESENT PRACTICE: There is no set policy and it is difficult to find birth data in letters and reports.

ADVANTAGES: Would save time in the searching of names and paging through a voluminous report to find identifying data. Would make communications more meaningful if disseminated to outside agencies.

OBSERVATIONS: Legal Attache [REDACTED] recommended adoption. The Files and Communications Division was contacted and Mr. Short recommended against adoption of the suggestion on the grounds that it would serve no worthwhile purpose and would add to the burden of the field. He stated that Bureau index cards need other pertinent data and birth dates are not always available. It is logical to assume that once the birth data was set forth in one communication it would have to be set forth in all ensuing communications on the same subject to be consistent which would be superfluous. Descriptive data is important for indexing purposes in the first report but after that becomes repetitious. The portion of the suggestion relating to maiden names has posed no indexing problem to Files and Communications Division. Maiden names have been received from the field set out in both the ways set out in the suggestion, but sufficient background data exists to index the name properly.

REC- 85

66-2435-2534

The Training and Inspection Division concurs with the views of the Files and Communications Division. It points out that the captions of cases are not suited to setting out birth data inasmuch as there are frequently dual captions which would lead to confusion and become unwieldy.

RECOMMENDATION: That the suggestion not be adopted. On approval, no further action is necessary as the suggester was thanked by prior letter.

JER:het

(2)

56 MAR 29 1961

JPW
 [Signature]
 [Signature]
 [Signature]
 [Signature]
 [Signature]

PLS. FILE

UNITED STATES

Memorandum

TO : MR. TAVEL

DATE: 3-14-61

FROM : L. E. SHORR

SUBJECT: SUGGESTION #428-61
 Submitted By [REDACTED]
 Research Analyst
 General Investigative Division

Tolson _____
 Parsons _____
 Mohr _____
 Belmont _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Tavel _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

RE: REPRODUCTION OF
REPORTS FOR DISSEMINATION

b6
 b7c

SUGGESTION:

The Training and Inspection Division has requested the views of this Division concerning the attached suggestion submitted by [REDACTED] Research Analyst, General Investigative Division. [REDACTED] suggests that when reproducing a report for dissemination purposes, if no "clean" copy of the first page is in file, that an extra copy of the first page with administrative data blocked out, be prepared and placed in file. He also suggests that when disseminating the last "clean" copy of a report, that a copy of the first page be reproduced for file. He points out that adoption of these suggestions will insure that a copy of page one of any report to be disseminated, free of administrative markings, will be in file for future reproduction purposes thus saving time by eliminating duplication of the "blocking out" process. [REDACTED] feels these suggestions should be limited to reports reproduced by the Name Check Section.

FILES AND COMMUNICATIONS DIVISION'S OBSERVATIONS:

In handling the dissemination of information to other agencies in connection with the name check program, it is the procedure to disseminate copies of investigative reports and if no copy is available in the file, it is necessary to reproduce a copy from the original report. The first page of the original

(Continued on Page 2)

JWM:gbh
 (4)
 Enclosure

EX-114

Memo: Malone to Mohr
 3/20/61

REC-62

10 MAR 22 1961

66-2435-2535

57 MAR 27 1961

Memorandum Short to Tavel

3-14-61

Re: Suggestion #428-61

Submitted By

b6
b7C

report contains many of the Bureau's administrative markings (such as file number, serial number, initials of supervisory officials supervising investigation, dissemination, etc.) necessary for the processing and handling of this material. Prior to reproduction of a copy from the original report, these administrative markings are "blocked out" to insure that they are not reproduced.

As you are aware, this Division, in connection with our comprehensive records management program, has since 1958, had in operation a copy destruction program wherein we are destroying extra copies of material in file, resulting in a substantial savings in space which is being utilized for filing of current record material and at the same time making the files easier to review, handle, and maintain. In connection with this program, it is our procedure to retain "clean" (free of administrative markings) copies of the first page of reports (if it is available) to be used in future reproductions of the report, if necessary, thus eliminating the "blocking out" process. This copy of the first page is affixed to the original report in file.

The suggestions submitted by are recommended unfavorably for adoption by this Division for the following reasons: There is no question that time is saved when reproducing of a report is necessary if a clean copy of the first page is available. However, it is our opinion that it would be an unsound economical practice to go to the expense of reproducing an extra copy of a page of a report for possible future use which may never be used again, and it is felt that this situation would occur in the great majority of cases. A survey was made of 100 files selected at random in the 25 (Selective Service), 77 (Departmental Applicants), 100 (Internal Security), and 116 (Atomic Energy Act Applicants) classifications (active classifications from a name check standpoint) to determine the number of times the information has been disseminated from these files. In only 17 of these files did dissemination occur after the initial dissemination when the report was first received or the case closed and in only two of these files did dissemination occur a third time.

b6
b7C

(Continued on Page 3)

Memorandum Short to Tavel

3-14-61

Re: Suggestion #422-61

Submitted By

b6
b7C

In analyzing the above survey it would appear that the reproduction of an extra copy of the first page of a report would not be justified on the basis of possible future use. While we are saving the copies of the first pages of reports (if available) in connection with the copy destruction program, these copies involve no additional expense to the Bureau because they have already been prepared, we do not feel that the expense of preparing an extra copy solely on the basis that it might be used in the future is justified.

RECOMMENDATION:

That this memorandum setting forth the views of the Files and Communications Division in connection with the above suggestion be referred to the Training and Inspection Division in accordance with their request.



5.
3/14

UNITED STATES

Memorandum

TO : Mr. Mohr

DATE: 3/20/61

FROM : J. F. Malone

SUBJECT: SUGGESTION #428-61

SUBMITTED BY [REDACTED]
GENERAL INVESTIGATIVE DIVISION

Tolson _____
 Parsons _____
 Mohr _____
 Belmont _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Tavel _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

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SUGGESTION: That the Name Check Section, when reproducing a report in file for dissemination, prepare an extra copy of the first page of the report, with administrative data blocked out, if no "clean" copy (having no notations on it) is on hand. Also, when disseminating the last "clean" copy, to make an additional copy of the "clean" first page for the file to insure there would be one available if needed again. Name Check Section has a "Xerox 914 Office Copier" to do this.

PRESENT PRACTICE: As regards the first instance above, at present only one copy is reproduced and in the second instance, the last file copy is disseminated.

ADVANTAGES: Save time by eliminating duplication of the blocking out process each time a clean copy is needed.

DISADVANTAGES: Cost of reproduction is five cents per page and takes seven seconds to reproduce.

OBSERVATIONS: The General Investigative Division recommended adoption. b6 b7c

The Training and Inspection Division requested Name Check Section to give them an idea of the extent of the problem and [REDACTED] of the Name Check Section advised that during a one day's survey they had to block out 99 pages. This information was furnished to the Files and Communications Division together with a request for their views. They advised that in their opinion it would be an unsound economical practice to reproduce a "clean" copy in anticipation of possible future use that might not occur. In arriving at this conclusion, Files and Communications Division conducted a survey of 100 files selected at random from four classifications of cases which are active classifications from a name check standpoint and would generate the type of problem in question. They found that only 17 of these files produced instances where dissemination occurred beyond the initial dissemination when the report was first received or the case closed and in only two of these did dissemination occur a third time. Inasmuch as Files and Communications Division is at present saving a "clean" copy of the first page of a report (if it is available) in connection with their

JEB:het
(2)

62 MAR 30 1961

EX-114

REC-62

10 MAR 22 1961

MEMO MALONE TO MR. MOHR
RE: SUGGESTION #428-61

program of destruction of extra copies of reports to save filing space, it did not feel the additional expense involved in preparing an extra copy, solely on the basis that it might be used in the future, is justified. The Training and Inspection Division agrees with the views of the Files and Communications Division expressed above that the suggestion should not be adopted. The views of the Administrative Division which were solicited with the factor of cost in mind, were held in abeyance pending the views of the Files and Communications Division and as a result of the recommendation of the latter, Administrative Division concurred and gave no further consideration to the matter.

RECOMMENDATION:

That the suggestion not be adopted. On approval, no further action is necessary as the suggester was thanked by prior letter.

3rd 2nd
OK
JMS
JMS

JMS
JMS

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
 Parsons _____
 Mohr _____
 Belmont _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Tavel _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

44 TO : Mr. A. H. Belmont

DATE: March 3, 1961

FROM : Mr. J. F. Bland

Investigative Reports

SUBJECT: STREAMLINING PROCEDURES - CHANNELIZING MEMORANDA

SAC Letter Number 61-8 dated February 21, 1961, authorized the field to destroy channelizing memoranda in security cases following submission of reports.

My memorandum of February 10, 1961, recommending that the field be allowed to destroy these channelizing memoranda also contained a recommendation that the handling of this matter be the subject of thorough checks by the Training and Inspection Division in connection with all field communications to insure proper procedural handling and reporting prior to destruction of channelizing memoranda. It is believed desirable to include this in the Field Inspectors' Manual.

ACTION:

If you agree, the attached proposed Manual change should be forwarded to the Training and Inspection Division for appropriate attention.

Enclosure ENCLOSURE

- 1 - Mr. Mohr
- 1 - Training and Inspection Div.
- 1 - Mr. Belmont
- 1 - Mr. Bland
- 1 - Mr. Rushing

TDR/fbm
 (6)

166-2435-
 NOT RECORDED
 141 MAR 1961

17 MAR 14 1961

Inspectors' Manual (Field)
Revised
John
 57 MAR 23 1961
 CC-67-130

XEROX
 MAR 16 1961

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8-10-82 BY SP4 ELW/CAL

ORIGINAL FILED IN 67-130

1 - Mr. Mohr
1 - Training Inspection Div.
1 - Mr. Belmont
1 - Mr. Bland
1 - Mr. Rushing

March 3, 1961

PROPOSED CHANGE IN
FIELD INSPECTORS' MANUAL
Section 5 - Administrative Operations

Item 10 d The following phrase should be added to
page 10:

"Proper procedural handling and
reporting prior to destruction of
channelizing memoranda following
submission of reports in security-
type cases."

NOTE: Memo Bland to Belmont dated 3/3/61 captioned
"Streamlining Procedures - Channelizing Memoranda";
TDR/Tbm.

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

TDR/Tbm
(8)

MAIL ROOM ☐ TELETYPE UNIT ☐

ENCLOSURE

March 23, 1961

b6
b7C

PERSONAL

EX-114
REC-9

66-2425 2537

[redacted]
Federal Bureau of Investigation
El Paso, Texas

Dear [redacted]

I have received the samples of the form you submitted for the preparation of Form FD-302s. Your proposal is being carefully considered and, if it is adopted, you will be advised.

The interest you manifested in submitting your idea to me is indeed appreciated.

Sincerely yours,

J. Edgar Hoover

1 - SAC, El Paso
1 - Personnel file of [redacted]
JER:het

b6
b7C

(5)

Suggestion #496-61, dated 3/9/61.

NOTE: Referred to Training and Inspection Division for views and recommendations. (Report withing desk)

ENCLO. BEHIND FILE

Tolson _____
Parsons _____
Mohr _____
Belmont _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
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W.C. Sullivan _____
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62 APR 3 1961

TELETYPE UNIT ☐

#446-61

Date

3/9/61

To:

Director, FBI

From: (Suggester's name)

Division of Assignment

EL PASO

b6
b7C

SUGGESTION

That only the original of FD-302s be on the printed form and that any additional such forms be on manifold carbon paper sets, GSA 7530-205-0512 (white).

Reports

MAR 20 1961

Current practice or rule (Include manual citation as well as facts)

The 1st page of the original 302 and the 1st page of each copy of 302s shall be on the printed form. Manual of Rules and Regulations, Part II, Section 4, Page 5 (9).

b6
b7C

Advantages of suggestion and annual savings (include basis for estimate)

SEE ATTACHED

Disadvantages of suggestion

NONE

(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States. I understand that I will be compensated within two years after submission.)

☒ Mr. ☐ Mrs. ☐

CC

Recommendations and comments of Division Head

EXCELLENT SUGGESTION - SHOULD BE TRIED

Signature and Title

(Do not write in this space - for Bureau use only)

5 MAR 20 1961

REC-9

3 ENCLOSURE
K & Encl. detached
by suggestion Division
for handling suggestion
JSC
Memo to Mr. Tolson
3/16/61
JSC/enc

EX-114
let ack'd
3/16/61
JSC/enc

66-1435-2537
SAC
R
ENCLOSURE

By using white manifold carbon paper sets (7530-205-0512), available through GSA Stores Stock Catalog, valuable time of stenographers and typists would be saved. Carbon sets are a second sheet attached to one-time carbon. Projecting edges permit removal of all carbons simultaneously. They come 500 sets to a box. Through the use of such sets with the original form FD-302, the time now used in inserting carbons would be saved. This would be a considerable savings throughout the Bureau. No problem would be encountered as the format would be readably discernible as an FD-302. The property statement would not appear on the copies of FD-302s, but it is not felt that any information would be compromised as such copies would be integral parts of reports, securely stapled as pages of reports, and the first page of such reports (FD-204) would always contain such property statement. The original of all FD-302s would always be on an authorized FD-302 and in every instance this would be the only such form that would be lifted from a file for possible use in a court trial. Such original would naturally contain the statement -- "This document contains neither recommendations nor conclusions of the FBI. It is the property..." and would fulfill the purpose for which promulgated. These sets are cheaper than buying manifold and carbon paper as separate items. The cost is \$1.28 per box of 500 sets as compared with \$3.17 for manifold and carbon paper. Not only would the time necessary for inserting carbons be saved but the storing of used carbons would be reduced to a minimum. This would also have the salutary effect of eliminating the problem of fingers becoming impregnated with carbon thereby reducing the incident of smudging. Flexibility and elasticity as to number of copies to be prepared, consistent with outstanding instructions, would be served with consequent savings in time, efficiency, and neatness.

2-Orig. & 1
1-Yellow
1-Training
1-Liaison

Legal Attache, Mexico City (66-358)

3-24-61

Director, FBI

Referral/Consult

REC-84 66-2435 - 25 38
REPORT WRITING

Reurlet 3-13-61, stating that as the
Bureau is aware, the local office of [redacted]

[redacted]

A preliminary review of the Bureau's files
has not revealed the correspondence relative to this
matter which you mentioned and the expenditure of
time necessary for an extensive review to locate
that correspondence is not warranted in this case.

You should immediately submit to the
Bureau full justification for your proposal
including the terminology to be used in describing [redacted]

[redacted]

1-Foreign Liaison Unit (detached)

NOTE ON YELLOW: The standard provisions for describing [redacted]

[redacted]

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Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

ALL: 66-2435
(6)

NOTE CONTINUED:

L. J. [signature]

MAIL ROOM ☒ TELETYPE UNIT ☐

56 APR 3 1961

RECORDED COPY FILED IN 66-2435

Letter to Legal Attache, Mexico City
Re: REPORT WRITING

NOTE ON YELLOW CONTINUED:

The Legal Attache, Mexico City, has advised

Referral/Consult

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 3/13/61

FROM: *[Signature]* LEGAT, MEXICO (66-358)

SUBJECT: REPORT WRITING
MEXICO CITY OFFICE

As the Bureau is aware,

Referral/Consult

Consequently, Bureau approval

It is believed that there was previous correspondence with the Bureau concerning this in the past, but such correspondence cannot now be located, possibly due to the fact that administrative serials over three years old have been destroyed.

2 - Bureau
1 - Mexico City

JFD:plb

(3)

11-11-61
13 MAR 1961
FBI
RECEIVED

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101-101

REC-84

66-2435-2538

MAR 28 1961

ack
3-24-61
NLF

5-21-61
[Signature]
7-11

UNITED STATES

Memorandum

Tolson _____
 Parsons _____
 Mohr _____
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 Malone _____
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 Tavel _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

TO : Mr. Mohr

DATE: 3-28-61

FROM : J. F. Malone

Reports

SUBJECT: SUGGESTION #496-61
 SUBMITTED BY [REDACTED]
 EL PASO DIVISION

b6
 b7C

SUGGESTION: That only the original of ~~X~~ form FD 302 (form for recording information which may become testimony) be on the printed form and that any additional copies needed be prepared on plain white manifold paper with pre-inserted one-time carbon paper attached.

CURRENT

PROCEDURE: (Manual of Rules and Regulations, Part II, Section 4, Page 5 (9).) The first page of the original FD 302 and the first page of each copy of FD 302s shall be on the printed form.

STATED

ADVANTAGES: Suggester states time now required to insert carbon sheets between individual copies of form would be eliminated. He claims no problem encountered in his suggested procedure since format of FD 302 would be readily discernible. He further claims these sets are cheaper than buying manifold and carbon paper as separate items, citing the cost as \$1.28 per box of 500 manifold carbon sets as compared with \$3.17 for manifold and carbon paper. His further observation is that flexibility and elasticity as to number of copies to be prepared, consistent with outstanding instructions would be served with consequent savings in time, efficiency and neatness.

OBSERVATIONS: Numerous suggestions relating to the use of one-time carbon, or snap-out carbon forms have been considered in the past for their adaptability to FD 302s, and not adopted due primarily to the added cost factors involved. This suggestion presents a different approach, but the claims of suggester are not entirely correct. That there would be a considerable savings of time now necessary in handling individual carbon sheets cannot be disputed. However, his example of a finished product (attached) clearly shows on the copies of the FD 302 that although the format might be readily discernible to a Bureau employee as an FD 302, anyone outside the Bureau would be at a loss to understand the significance of the three dates, whether the name of the Agent shown was the investigator or

Enclosure

1 - Bufile 66-2435

JVC:mlw

(3) 50 APR 3 1961

REC-112

17 MAR 30 1961

66-2435-2539

Memorandum to Mr. Mohr

Re: Suggestion #496-61

Submitted by

El Paso Division

b6
b7C

merely the dictator, the meaning of file number, etc. Since the copies of FD 302 are utilized as pages in Investigative reports which are disseminated to U. S. Attorneys and other interested agencies, it does not appear to be practical to adopt this suggestion. Previous surveys of Administrative Division reflect individual carbon paper sheets can be utilized about 10 times. Plain manifold costs 95¢ per thousand and 100 sheets of carbon paper cost 57¢. (\$1.52 per 1,000 copies compared to suggester's \$2.56 per 1,000 sets or more than \$1.00 per 1,000 sets.) Thus a survey of the benefits of time saved would have to be made in relation to the additional costs involved before a recommendation could be made to adopt one-time carbon forms to the FD 302.

RECOMMENDATION: That this suggestion not be adopted. No further action necessary since suggester previously acknowledged by letter from Director.

3-29
JPW/LSH 70W

EX-114

REC-99

March 30, 1961

PERSONAL

66- 243.5-2540

b6
b7C

[redacted]
Federal Bureau of Investigation
Portland, Oregon

Dear [redacted]

I have received your suggestion that Form FD-302 be prepared with preinserted carbon paper for use in all field divisions. I am sure you will be interested to know that similar ideas have been considered in the past and were not adopted because of the cost factors involved in having the form prepared as suggested.

Although favorable action is not being taken on your suggestion in this instance, I want you to know that your interest in this matter is appreciated.

Sincerely yours,

J. Edgar Hoover

- 1 - SAC, Portland
- 1 - Personnel file of [redacted]

ML (Suggestion #521-61, dated 3-23-61)
(5)

NOTE: Suggests that Form FD-302 be prepared with preinserted carbon paper. A number of identical suggestions have been considered in the recent past and were not adopted because of the expense involved; one of the primary factors being that individual sheets of carbon paper may be used a number of times whereas it would only be possible to use FD-302 with preinserted carbons once. Previous surveys conducted in the Administrative Division reflect that costs of manifold and carbon paper sets are \$2.90 per thousand. Regular manifold paper is \$.80 per thousand and regular carbon paper is \$.52 per hundred sheets.

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Gandy _____

MAIL ROOM

TELETYPE UNIT

b6
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MAR 30 4 27 PM '61
COMM-READING ROOM

(over)

NOTE: (continued)

Administrative Division estimates that regular carbon paper can be used on the average of ten times for a good legible copy. The use of manifold with regular carbon is considered to produce far superior results as compared with the paper sets when more than two copies are required. In view of the prior consideration given this matter, it is felt that no further action is necessary at this time.

Date

3/23/61

To:

Director, FBI

From: (Suggester's name)

Division of Assignment

Portland

b6
b7C

SUGGESTION

Have carbon packs made for FD 302s.

Current practice or rule (include manual citation as well as facts)

Manual for Field Stenographers, Section 3, page 15, No. 19 a, and page 17, No. 21, second paragraph. The current practice is to type ten copies of FD 302 inserts if exact amount needed not known. Numerous 302 inserts with maximum copies are

Advantages of suggestion and annual savings (include basis for estimate)

very time consuming.

Time saved in stuffing carbon reduces pressure from stenographers and therefore enables them to get work out faster and more efficiently.

b6
b7C

Disadvantages of suggestion

None known.

(The use by the United States of my suggestion shall not form the basis of any claim or assigns upon the United States. I understand that I will be compensated within two years after submission.)

☐ Mr. ☐ Mrs. ☒ X

Recommendations and comments of Division Head

Favorable recommendation being made. It appears it would be worth a trial.

Steno Unit Supvr.

Special Agent in Charge

(Do not write in this space - for Bureau use only)

EX-114
REC-99
11 2035L 2540

SAC, Baltimore

April 6, 1961

Director, FBI (100-358086)

REC-91

66-2435-25411

EX-108

SECURITY INVESTIGATIONS -
REPORT WRITING

Reurlet dated March 27, 1961, captioned
"Report Writing, Security Cases."

In your letter you refer to SAC Letter
Number 61-12 dated March 7, 1961, dealing with the
subsequent incorporation into reports of information
furnished the Bureau by letterhead memoranda.

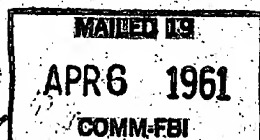
You thereafter suggest that certain
dissemination memoranda placed in individual case
files are not necessarily pertinent for inclusion
in a report and that no provisions are made for the
destruction of such memoranda under the provisions
of SAC Letter 61-8 dated February 21, 1961, captioned
"Streamlining Procedures - Channelizing Memoranda."

In authorizing the destruction of channelizing
memoranda following submission of reports, it was
intended that only memoranda, the pertinent contents
of which had been incorporated into reports, would be
destroyed. For your information, however, the entire
procedures with respect to channelizing memoranda are
being scheduled for discussion at the forthcoming
Internal Security - Espionage Conference.

In the event you have specific recommendations
with respect to changes that should be made in connection
with our present procedures dealing with destruction of
channelizing memoranda, the representative from your
office attending the above Conference should be fully
prepared to discuss in detail suggested changes.

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W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

TDR/fbm
(4)



MAIL ROOM ☒ TELETYPE UNIT ☐

58 APR 12 1961

UNRECORDED COPY FILED IN 100-358086-3

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 3/27/61

FROM : SAC, BALTIMORE (100-00)

SUBJECT: REPORT WRITING
SECURITY CASES

Re SAC Letter No. 61-12, 3/7/61.

In connection with instructions of the Bureau concerning report writing as set forth in referenced SAC Letter, the following suggested changes are being made:

1. In connection with individuals, dissemination memoranda are being put in the files of individuals which memoranda are not necessarily pertinent for inclusion in a report. These memoranda contain information such as proposed contacts with Communist Party members, proposed activities of the individuals, and other similar information which is of value for coverage of leads on these individuals and other files. However, the information itself is not reportable for the subject on whom this report is being written.

No provision is made in referenced SAC Letter for handling this type of dissemination memoranda. Baltimore suggests that these letterhead memoranda not be retained in the file but be destroyed at the time of the preparation of the report.

The memorandum to the file listing the destruction of serials would include a separate section listing destruction of this type of memoranda. In this memorandum to the file, the location of the serials would be listed and a statement would be made showing that destruction of these serials was made inasmuch as they were reviewed and found to contain no information pertinent to this report.

2. In connection with organizational reports, it is noted that all the information contained in the files on an

2 - Bureau
1 - Baltimore

MEG:ers
(3)

REC-91

EX-108

66-2435-2541

15 MAR 29 1961

XEROX

APR 11 1961

Hlm

EXP. PROC.

100-358086-3

UNRECORDED COPY FILED IN

organization is not normally reported item by item. This is because each specific meeting of the organization is not necessarily pertinent. It is more pertinent in the organizational report to show certain specific meetings rather than a total number as these specific meetings would show Communist Party domination or control over that organization. For example, other meetings would be held that would be strictly routine and no real evidence of Communist Party domination would appear. These meetings, of course, are important for placing in the case file for use by the agent in covering leads, obtaining additional information concerning membership, etc..

The net result would be that all of the dissemination memoranda in the organizational file would not be used.

Again, no provision is made in referenced SAC Letter for destruction of these serials. It is therefore suggested by Baltimore that the same procedure as outlined above for files of individuals be followed and that these serials also be destroyed.

The above suggestions are being made in line with consideration of the Bureau's space problems and the desirability of reducing clerical time spent in handling security files.

SAC, Charlotte (66-1393)

3/31/61

Director, FBI

TRANSMITTAL OF INSERTS AS ENCLOSURES
FILING AND SERIALIZING PROCEDURES

Enclosed together
Reurlet 3/27/61, captioned Filing and Serialization Procedures.

The Bureau does not feel that any exceptions should be made to existing regulations concerning the filing and serializing procedures relating to the handling of enclosures sent from one field office to another. An enclosure to the transmittal document is to be given a separate serial number as is set out in the Manual of Rules and Regulations.

With regard to your specific queries:

1. Copies of inserts retained by your office which have been transmitted by cover letter or airtel to office of origin should each be given separate serial numbers in your file. It is sufficient authority to file these inserts when the supervisor initials the file copy of the outgoing transmittal document, and it is not necessary that each copy of the inserts so sent be initialed by him.

2. Copies of inserts received from another field office for lead purposes should be block stamped and receive separate serial numbers. The serialization process should be logically made so that the transmittal letter or airtel is immediately adjacent to inserts sent as enclosures.

3. When FD-302s are received for lead purposes, they should be block stamped and serialized as set forth in 2 above.

① - 66-2435
1 - 66-16263

JVC:mgj

(6)

Enclosure

NOTE: SAC, Charlotte requested clarification of the rule in Manual of Rules and Regulations, "Administration of (Cont'd page 2)

DUPLICATE YELLOW

NOT RECORDED

185 APR 6 1961

51 APR 7 1961

ORIGINAL FILED IN

Files," Part II, Section 3, Page 6 (D) relating to the filing and serialization of enclosures as it would pertain to the transmittal and receipt of Inserts. Under current regulations results of investigation by auxiliary offices of no immediate benefit to the solution of the case or location of a subject may be transmitted in Insert form in sufficient copies to be incorporated in a report by office of origin without further typing by office of origin, and in lieu of an Investigative Report by the auxiliary office. The Manual citation above requires that each of these separate inserts be given a separate serial number by the sending office and by the receiving office when copies are furnished them to assist in covering leads in their offices. Chief Clerk [redacted] WFO, advises that this system has worked extremely well for WFO to maintain complete control of this type of enclosure, and she recommended that no exceptions be made to the enclosure rule for inserts.

b6
b7C

RECOMMENDATION:

This procedure has been the subject of inquiry from several field offices in the recent past, and it is recommended that the enclosed manual changes be approved for the purpose of clarifying the enclosure rule as it relates to inserts, to further preclude any questions from the field on this procedure.

March 31, 1961

PERSONAL

66-3435-
11-115-
[Redacted]
Federal Bureau of Investigation
Atlanta, Georgia

Dear [Redacted]

Thank you for your suggestion to standardize the assembling and counting of enclosures, inserts and the like submitted by auxiliary offices to the office of origin. Your proposal is being carefully considered and you will be advised if it is adopted.

The interest which prompted you to submit your idea to me is appreciated.

Sincerely yours,
J. Edgar Hoover

- 1 - SAC, Atlanta
1 - Personnel file of [Redacted]

JER:mlne
(5) (Suggestion #516-61 dated 3-23-61)

NOTE: Referred to Training and Inspection Division for views and recommendations.

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TELETYPE UNIT ☐

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ORIGINAL FILED IN 66-3435-205

Date

3/23/61

Director, FBI

From: (Suggestor's name)

Division of Assignment

Atlanta, Georgia

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SUGGESTION Standardization of procedure used in assembling and counting as enclosures inserts and/or FD-302's submitted by auxiliary offices to office of origin. Inserts and/or FD-302's should not be assembled. Instead, all copies of a single page should be stapled together in the upper left-hand corner. If insert and/or FD-302 is more than one page in length, after all copies of each individual page are stapled in the upper left-hand corner, then all copies of all pages of a single insert and/or FD-302 should be stapled together in the upper right-hand corner to keep the entire finished product together. *Reports*

As to counting same as enclosures, each complete insert and/or FD-302 should be counted as one enclosure regardless of how many pages it is in length.

Current practice or rule (Include manual citation as well as facts)

Some field divisions completely assemble inserts and/or FD 302's before submitting same to the office of origin for inclusion in
SEE ATTACHED PAGE

Advantages of suggestion and annual savings (Include basis for estimate)

By following the above suggestion, the time spent by the employee assembling inserts and/or FD-302's and the time spent by the employee who must disassemble them in order to number the pages by typewriter to achieve accurate, neat, and consistent appearing reports would be saved; therefore, both of these employees would be available for more typing and/or dictation to produce more typed pages.

The annual savings would be in stenographic time only.

Disadvantages of suggestion

None

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(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States. I understand that I will be considered for any justified award only if my suggestion is adopted within two years after submission.)

☐ Mr. ☐ Mrs. ☒ Miss

Supervising
Stenographer *35*
Signature and Title of Suggestor

Recommendations and comments of Division Head

I believe this suggestion should be adopted to avoid what appears to be some confusion in the field in transmitting inserts and/or FD-302's to office of origin by auxiliary offices.

E. E. Wilson Special Agent

Signature and Title in Charge

(Do not write in this space - for Bureau use only)

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6 MAR 27 1961

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*ack by let
3/31/61
JER:me*

MAR 27 1961 FILED IN 66-3265-

Current practice or rule (Include manual citation as well as facts)

reports. This procedure requires that these inserts and/or FD-302's be disassembled in order to number the pages before including same into a report.

The Agents Handbook (Part I, page 32b, paragraph 8) merely states sufficient copies of inserts are to be typed and forwarded to office of origin by letter or airtel.

The Manual for Field Stenographers (Section 3, page 17, number 21) merely gives instructions regarding the typing of inserts. These instructions do not include the transmission of same from one office to another.

March 30, 1961

PROPOSED CHANGE IN
MANUAL OF RULES AND REGULATIONS

Manual of Rules and Regulations, Part II, Section 3D,
1a, (1), should be amended to read as follows:

- (1) Each document that is placed in an investigative file must be numbered in sequence. This number is known as the serial number and the document known as the serial. An enclosure to the document is to be given a separate serial number. Inserts or IC-302s sent or received as enclosures to another document should be given separate serial numbers, except by office of origin when the insert will be incorporated in an investigative report. If office of origin later decides not to incorporate the insert in a report, a copy ~~it~~ it should be serialized. (See (2) and (3) below.)

① - 66-2435
1 - 66-16263
JVC:mgj
(6)

NOTE: Based on letter to SAC, Charlotte, dated 3/31/61,
re: Transmittal of Inserts as Enclosures, Filing
and Serializing Procedures, JVC:mgj.

DUPLICATE YELLOW

16-2435-
NOT RECORDED
185 APR 6 1961

51 APR 7 1961

ORIGINAL FILED IN

UNITED STATES

Memorandum

TO : Mr. Mohr

DATE: March 27, 1961

FROM : J. F. Malone

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/18/94 BY SP5CJ/CH
314343SUBJECT: TITLE 18, U. S. CODE, SECTION 3500
THE JENCKS ACT; REPORT WRITING

Tolson
DeLoach
Evans
Malone
Rosen
Tavel
Trotter
W.C. Sullivan
Tele. Room
Ingram
Gandy

On March 16, 1961, Supervisors [redacted] and Dwight J. Dalbey of the Training and Inspection Division discussed informally with representatives of the Criminal Division, Department of Justice the statement made in a 2/28/61 letter to the Director from [redacted] Acting Assistant Attorney General, Criminal Division, that it would be helpful to the trial judge if we would show on the face of our interview report form (FD-302) the amount of time consumed by each interview, and the recommendation of the Criminal Division that we institute the practice of showing this information on the interview report form. We do not now do it. The referenced letter invited further discussion on report writing problems if desired by the Bureau.

On appointment made, [redacted] Chief, General Crime Section, and new U. S. Attorney-designate in Chicago, confidentially advised Special Agents [redacted] and Dwight J. Dalbey that he seriously doubts the wisdom of placing on the face of the interview report form a notation to show the elapsed time of the interview. [redacted] said doing this is likely to open up an entirely new avenue of questioning by the court and by defense counsel which would lead them into the question of the time consumed by the interview so completely that their inquiries might be answered only by keeping a detailed log on each interview and this would be highly undesirable. It would make the Agents' work more difficult and complicate that of the United States Attorney. [redacted] said this was an informal opinion only and that for a formal opinion the matter should be taken up with [redacted] Legislative and Research Unit, Criminal Division.

[redacted] and his assistant, [redacted] said that if this question of putting on the face of the interview report form the time consumed by the interview with the prospective witness is to be considered in its ramifications it immediately brings up the fact that the answer to many other questions the judge might ask could be shown on the face of the form and that to prepare such a form would obviously entail many administrative difficulties. They said this is

Encls (2)

REC-60

APR 11 1961

1 - Mr. Parsons (Encls)

1 - Mr. Rosen (Encls)

1 - Mr. Belmont (Encls)

1 - Mr. H. L. Edwards (Encls)

1 - Mr. Evans (Encls)

1 - [redacted] (Encls)

DJD:hcv

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(8)

58 APR 12 1961

UNRECORDED COPY FILED

Memo to Mr. Mohr
Re: Title 18, U. S. Code Section 3500

especially true in view of the fact that we still do not know what the courts want in some important areas of the Jencks Act. Moreover, there is nothing mandatory about making any change in our interview report form at this time because no legal consideration demands it. They said that in their opinion we would be wise to defer any change to show the interview time on the report form until we find out what the courts are going to decide finally in the bank robbery case of [redacted] U. S., on rehearing in Boston and other Jencks cases.

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RECOMMENDATION :

1. That the attached letter be sent to [redacted] Assistant Attorney General, Criminal Division, confirming the referenced conversation between representatives of this Bureau and representatives of the Criminal Division concerning what to do about placing the elapsed time of interview on the interview report form.

[Handwritten signatures and initials: S, JPM, JH, JMM, JGP, and a checkmark]

*Sac letter 3/22/61
(typical) re Interviews and
Statements was approved on
basis of this cover memo*
[Signature]

*G.H. Want I do think
many of our interviews
are unnecessary
too long & unless
we intensively get
over to our right place
for advanced planning
& preparation of in-
terviews the Court might
impose just such
requirements as you
mention above.*

March 31, 1961

PERSONAL

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[Redacted]
Federal Bureau of Investigation
Washington, D. C.

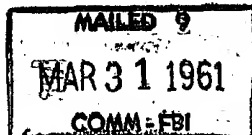
Dear [Redacted]

In further reference to your suggestion regarding the setting forth of the Bureau deadline date in all communications except investigative reports, I am indeed pleased to advise you that your proposal has been adopted. The necessary steps are being taken to place your idea into effect.

I want to thank you for having given me the benefit of your observations.

Sincerely yours,

J. Edgar Hoover



- 1 - Mr. Rosen
1 - Personnel file of SA [Redacted]

JER:mlw
(5)

NOTE: Based on memorandum Mr. Malone to Mr. Mohr dated 3/30/61 re: Report Writing Suggestion 44-75-61 Submitted by SA [Redacted] General Investigative Division. JER: [Redacted]

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ENCLOSURE

37 APR 1 1961 TELETYPE UNIT ☐

REC-54 106-2435-2543
17 APR 12 1961
[Handwritten signatures and initials]

475.61

Date

3/3/61

To:

Director, FBI

From: (Suggester's name)

Division of Assignment

General Investigative

SUGGESTION

It is suggested the designation of a Bureau deadline date of a case be set forth in all communications, except investigative reports, under the character of the case in the caption and enclosed in parenthesis. This designation could be abbreviated to assist streamlining such procedure by using the word "Buded" together with numbers indicating the date.

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As an example, the caption on mail to or from the field as well as intra-office would appear as follows:

LMRDA - IM
(Buded 3/3/61)

Current practice or rule (Include manual citation as well as facts)

Bureau Bulletin #30 in 1951 provided the deadline should be set forth in the caption of communications in applicant and loyalty type cases; however, in criminal and other types of cases the deadline is

~~Advantages of suggestion and annual savings (include basis for estimate)~~

included somewhere in the body of communications since there is no rule indicating any particular place for it to be set forth.

ADVANTAGES OF SUGGESTION AND ANNUAL SAVINGS (include basis for estimate)

While the actual savings in administrative and investigative time may not be estimated, definite streamlining and operating advantages are as follows:

1. Immediate "at-a-glance" notice is afforded recipients of communications as to deadline required to be met.
2. Assurance that leads set forth intra-office will be handled in accordance with deadline set in prior communications.
3. Streamline assignments to be made by supervisory personnel and

~~Disadvantages of suggestion~~

streamline marshalling of work by investigative personnel by obviating necessity for re-reading entire communications to locate deadline date, possibly on second or third pages.

DISADVANTAGES OF SUGGESTION

none

(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States. I understand that I will be considered for any justified award only if my suggestion is adopted within two years after submission.)

☒ Mr. ☐ Mrs. ☐ Miss

Signature and Title of Suggester

Recommendations and comments of Division Head

The above suggestion appears to have merit and it is recommended that favorable consideration be given to adopting it.

Signature and Title

(Do not write in this space - for Bureau use only)

SEE ADDENDUM PAGE 66 243-2843

ADDENDUM

JBE:sp

3/15/61

SUGGESTION #475-61

BY SA

GENERAL INVESTIGATIVE DIVISION

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Suggestion is to include "Buded" and date to show Bureau deadline date in all communications except investigative reports. As suggestion indicates, this procedure currently followed in Employees Security and Special Inquiry cases.

Where the suggestion can be applied, Special Investigative Division has no objection to extending the use of this procedure for showing Bureau deadline dates. As noted, this procedure is currently used in Employees Security and Special Inquiry communications. While there are deadlines in fugitive cases, the deadlines apply to individual leads and, therefore, are not subject to a Bureau deadline as such.

Suggestion to extend "Buded" procedure appears to have merit in those instances where a Buded is applicable. Recommend favorable.

JBE

WVGB

Cap

*Memo: Moline to Moline
3/30/61 J.E. M.C.
Let to SA Moline
3/30/61 J.E. M.C.*

RECOMMENDATION OF GENERAL INVESTIGATIVE DIVISION:

The suggestion that a Bureau deadline date be set forth under the character in the case and enclosed in parentheses has been considered by the Streamlining Committee of the General Investigative Division. The committee feels the suggestion has merit and consideration should be given to its adoption.

Ben *apm* *W/S* *RB.*

[Signature]

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66-2435-2543

CLOSURE

memo: Malone to Martin
3/30/61 JER. me
set to SA []
3/21/61 JER. me

Legal Attache, Mexico (66-358)

4/17/61

Director, FBI

REC- 31

REPORT WRITING

66-2138-2544
Orig & 1
1-Yellow
1-Liaison
1-Mr. Ferris

Reurlet 4/14/61 requesting that you advise
to identify [redacted]

[redacted]
In order that the Bureau can give consideration to this
matter, you should advise of the basis for the phraseology of your
recommendation, in view of the fact that [redacted]
received by you [redacted]

Upon receipt of your reply, consideration will be given to
your request.

1-Foreign Liaison Unit (detached)

NLF:cbj (6)

NAME

Referral/Consult

Tolson
Parsons
Mohr
Belmont
Callahan
Conrad
DeLoach
Evans
Malone
Rosen
Tavel
Trotter
W.C. Sullivan
Tele. Room
Ingram
Gandy

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 4/4/61

FROM: *[Signature]* LEGAT, MEXICO (66-358)

SUBJECT: REPORT WRITING *[Signature]*

Remylet 3/13/61 and Bulet 3/24/61.

For an extended period of time and prior to my being assigned to *[Redacted]*

Referral/Consult *[Redacted]*

2 - Bureau
1 - Mexico City
JFD:plb
(3)

REC- 31

66-358-2544
17 APR 17 1961
[Signature]

UNITED STATES GOV

Memoran

TO : Mr. Conrad *JMC*

DATE: 4/13/61

FROM : R. H. Jevons *RHJ*

Tolson	_____
Parsons	_____
Mohr	_____
Belmont	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
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Ingram	_____
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18 SUBJECT: POLYGRAPH MATTERS
REPORT WRITING

The attached memorandum dated 3/24/61, sets out in detail a shifting interpretation of the Jencks Act which the Training and Inspection Division feels may require a change in the reporting of polygraph interviews. It is noted that the General Investigative, Special Investigative, Domestic Intelligence and the Identification Divisions have all advised that they have no situations similar to the reporting of polygraph interviews which would necessitate changing existing reporting instructions.

According to the Training and Inspection Division, the current trend strongly favors the fact that once an Agent witness has testified, any report made to his supervisors will be produced upon demand. As you are aware, under existing instructions, each polygraph interview is reported in the usual manner on the FD 302 by the Agent to whom the case is assigned. However, no reference is made to the use of the polygraph in the FD 302. Under current instructions, use of the polygraph is reported on the cover page FD 263. Additionally, approximately 1/2 of the polygraph operators throughout the field are required to submit a "polygraph research" letter giving detailed comments concerning each polygraph test. This letter is used as a training aid and as a supervisory device for the newer operators and in current practice, is not part of the case file.

In view of the fact that no reference is made to the use of the polygraph in the investigative report (FD 302), and to avoid possible criticism of the Bureau concealing anything in its reports, it was recommended that the current instructions be revised to provide for direct reference to the polygraph in the FD 302. Exclusion of any material in the FD 302 would be limited only to opinions, conclusions and other subjective impressions which by their nature are inadmissible as evidence.

This matter was discussed in Mr. Parson's Office on 4/12/61, with Messrs. Parsons, MacLennan, Rosen, Belmont, Evans and Conrad present. All things considered, it was felt that while there were some possible disadvantages to the present method of polygraph reporting, the

1-Mr. Malone (Attention: SA Dwight Dalbey) (sent direct) *66-2435*

1-Mr. Belmont (sent direct)

1-Mr. Rosen (sent direct)

1-Mr. Evans (sent direct)

Enclosure

56 APR 27 1961

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Memorandum to Mr. Conrad
Re: POLYGRAPH MATTERS
REPORT WRITING

disadvantages of the proposed solution would outweigh them. The proposed solution would encourage possible probing of the polygraph technique by the defense. The present reporting procedure is so designed to have the case Agent prepare the FD 302 so that he would be the Agent testifying and not the polygraph operator. It was unanimously agreed by all investigative divisions to leave the polygraph reporting procedures as they are.

RECOMMENDATION:

Unless otherwise advised, no changes will be made in the existing reporting procedures regarding the polygraph.

[Handwritten signatures and initials]

UNITED STATES GOVERNMENT

Memorandum

Tolson _____
 Parsons _____
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TO : *JWC* Mr. Conrad

DATE: 3/24/61

FROM : R. H. Jevons *RHJ*
 166 SUBJECT: POLYGRAPH MATTERS
 REPORT WRITING

The Training and Inspection Division has called to the attention of interested divisions and personnel a shifting interpretation of the Jencks Act which appears to require a change in the reporting of polygraph interviews. The Training and Inspection Division has advised that the trend toward holding that the reports of an agent-witness are fully producible once the agent has testified on that subject matter is so strong that it is believed the Bureau should assume that this view will be endorsed by the Supreme Court when it hears the issue. In other words, from now on we should assume that whenever the Government puts an agent on the stand as a witness, any report which he has made to his employing agency in any fashion and on the subject matter of his testimony is subject to production under the Jencks Act. No report of any kind on that subject matter can be insulated from production simply because of the manner in which it is prepared or by the statement that it describes something confidential to the Government. It should be noted, incidentally, that the Department's position is in line with this current trend in the Federal courts, namely, that the Jencks Act applies to a Government agent's report to his superior officer just the same as a report made by any other type of witness in a Federal court.

According to the Training and Inspection Division, little change is required in the Bureau's reporting methods. The Bureau's reporting system, set up in consultation with the Department, has assumed from the beginning that the agent's report would be subject to production. Our system is set up to accommodate such a development. In regard to the great bulk of our work, the new trend required no change whatever in what we are now doing. Some change seems required, however, in the method of reporting the results of interviews on the polygraph.

- 1 - Mr. Malone (Attention: SA Dwight Dalbey and SA)
 (sent direct)
 1 - Mr. Belmont (sent direct)
 1 - Mr. Rosen (sent direct)
 1 - Mr. Evans (sent direct)
 1 - Mr. Trotter (sent direct)

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56 APR 27 1961

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 170 APR 18 1961

Memo Jevons
** Conrad 4/13*
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Memorandum to Mr. Conrad
Re: POLYGRAPH MATTERS
REPORT WRITING

The General Investigative Division has advised that it is conceivable in a narrow group of cases that all reports including the results of the polygraph examination will be demanded. They advised that it should be borne in mind in preparing suggested changes that the polygraph is an investigative technique and in the majority of instances the polygraph examiner is not the one who will testify. While the defendant or the person given the polygraph examination will know of the questions asked and the answers given, he would have no way of knowing the observations of the examiner. The observations of the examiner would not necessarily have to be included in the report. The General Investigative Division further advises that they have nothing similar to the reporting of polygraph interviews which would necessitate changing existing reporting procedures.

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On March 23, 1961, Mr. Charles H. Stanley and [redacted] of the newly formed Special Investigative Division were contacted. They advised that they concurred with the observations made previously by the General Investigative Division.

The Domestic Intelligence Division has advised that there is no situation relating to their work which is similar to the reporting of polygraph interviews. Accordingly, there is no necessity to change existing reporting procedures in that Division.

On March 23, 1961, [redacted] Identification Division, was contacted regarding this matter. He advised that the Identification Division has no situation which is similar to the reporting of polygraph interviews and had no suggested changes in reporting procedures. Therefore, it appears that the shifting interpretation of the Jencks Act would apply only to our present method of reporting polygraph interviews.

Under present polygraph reporting instructions, the following communications are prepared by the field for submission to the Bureau:

1. An appropriate communication in summary form prepared usually by the polygraph operator immediately after the polygraph examination to advise the Bureau of pertinent developments.

Memorandum to Mr. Conrad
Re: POLYGRAPH MATTERS
REPORT WRITING

As needed, this may be a telephone call, teletype, airtel or letter. This communication serves the following purposes:

- a. Keeps the Bureau currently aware of developments in each case. Although in some instances these communications may include "opinions and conclusions" of the polygraph operator which are inadmissible as evidence, their value for investigative purposes seems to outweigh any objection to them.
- b. Provides for copies to be promptly designated to all interested offices and sets out any leads developed during polygraph interviews.
- c. Enables the Bureau supervisor co-ordinating polygraph assignments to maintain current control of assignments and knowledge of examination results.

These communications are placed in the case file at both the Bureau and field with copies for polygraph research files at both the Bureau and field for administrative control purposes. The Laboratory believes that these communications should be retained and continued for reasons set out above.

2. Each interview is reported in the usual manner on FD-302 by the agent to whom the case is assigned. However, no reference is made to the use of the polygraph in FD-302. This has been a long-standing policy of the Bureau in regard to investigative reports. This was in keeping with the general confidential nature of polygraph research in the Bureau's work. Under the old reporting system, the use of the polygraph was reported on the administrative page. Under current instructions and in line with previous policy, the use of polygraph is reported on the cover page (FD-263). When necessary to advise the United States Attorney of the polygraph test, this has been done by separate letter to him.

Memorandum to Mr. Conrad
Re: POLYGRAPH MATTERS
REPORT WRITING

The omission of mention of polygraph in the actual investigative report (FD-302) raises some problems, as the reasons to consider the polygraph confidential no longer seem to prevail. The Bureau is now actively using this technique in selected cases and has twenty-two qualified operators in eighteen field offices. The very fact that the subject or suspect is fully aware of a polygraph test and must cooperate during examination would indicate no reason to conceal this in the report.

In the interest of simplifying the reporting procedure and to avoid the implication that we are concealing anything, it is suggested that exclusions of material concerning the polygraph from the FD-302 be limited only to opinions, conclusions and other subjective impressions which by their nature are inadmissible as evidence. Consequently, there would be no objection to the disclosure in the FD-302 that the subject consented to the polygraph interview, signed a waiver form, was interviewed with polygraph and his statements and admissions made during the interview. We recommend that this change with regard to the FD-302 be made.

3. As a supervisory device and a training aid to assist newer polygraph operators, their polygraph charts and questions are submitted to the Laboratory for review in a separate letter captioned only "POLYGRAPH RESEARCH." This letter enables the operator to include detailed comments concerning each test and may comprise responses observed, evaluations, interpretations and conclusions and any other observations that the operator may wish to make. This may include material relating to the polygraph which is opinion and which is uniformly held as inadmissible. These Polygraph Research reports are currently being submitted by only twelve of the twenty-two Bureau approved operators throughout the field.

The Laboratory believes that this phase of the polygraph program is desirable and necessary. The Laboratory is aware that if a demand is made for this research material, even though in current practice it is not a part of the case file, it would be

Memorandum to Mr. Conrad
Re: POLYGRAPH MATTERS
REPORT WRITING

necessary to produce it. It should be emphasized that this research report is in no sense intended to avoid any demand for an agent's "report" that is germane to his testimony. As pointed out, the research letters are not uniformly required from all polygraph operators. The polygraph operators assigned to New York do not submit the charts and questions as they are reviewed by SA [redacted] (O) who has close to twenty-years experience in these matters. Also, in view of their experience, seven other operators do not submit research letters. Consequently, this research communication is something to which we are not necessarily wedded, and as each polygraph operator obtains necessary experience he will no longer be required to submit these for review.

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RECOMMENDATIONS:

1. That current instructions with regard to polygraph reporting permit direct reference to polygraph in investigative reports (FD-302) and exclusions of any material concerning polygraph interviews be limited only to opinions, conclusions and other subjective impressions which by their nature are inadmissible as evidence.

2. That this memorandum be sent to the Training and Inspection, Domestic Intelligence, General Investigative and Special Investigative Divisions for their consideration and if approved, the Laboratory will advise the field and make the necessary changes in the Manual of Instructions.

ADDENDUM: Our recommendations have been co-ordinated with the Training and Inspection Division.

see addendums attached

The controversy here concerns those relatively rare cases in which the subject is interviewed by a Bureau Agent, on the polygraph, gives a confession, and then repudiates that confession at trial.

The Bureau Agent, called to testify to the confession, will be asked by the defense whether he submitted any reports on the confession to his superiors. If the Agentx submitted an FD-302 and any other report on the polygraph the government must turn both or all over to the defense. The fact that one of these reports made by the Agent to his superiors happens to concern itself with so-called "administrative data," how the needles wavered, whether the Agent thinks the subject is guilty, etc., does not in any way exempt that report from production under Jencks, which is a rule dealing with impeachment by cross-examination and has nothing to do with the admissibility or nonadmissibility of the material so used.

The above is the position of the Legal Research Desk.

The Laboratory has added a suggestion that the FD-302 show the fact that the subject was interviewed on the polygraph. The Legal Research Desk believes this a good suggestion. We gain nothing by leaving out reference to the polygraph; the subject and his lawyer know of the interview. We take a risk by leaving reference to the ~~FD-302~~ polygraph out of the FD-302--the risk of hiding information pertinent to cross-examination. Justice Brennan, speaking for himself and 3 others, served notice in the [redacted] decision that they will be on the lookout for such tactics. The matter is not entirely squared by the Agents admission on the stand that he used the polygraph--the defense lawyer can still question his (and the Bureau's) motives in leaving it out of the FD-302.

The Laboratory's suggestion, as understood by the Legal Research Desk, does not contemplate making any reference to the polygraph in the subject's written confession. This document, being evidence and thus separate and distinct from the FD-302 produced for cross-examination only, should not contain any reference to the polygraph.

Reference to the polygraph in the FD-302 would not raise any question on the waiver. The defense attorney and his client already know about the waiver and can raise any question they want concerning it. The form FD-302, which is not in evidence, does not by mentioning the waiver raise any new question not otherwise already raised.

AD
4/10/61
BIA
JWS

UNITED STATES

Memor

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TO : Mr. Mohr

DATE: 3/30/61

FROM : J. F. Malone

SUBJECT:

REPORT WRITING
 SUGGESTION #475-
 SUBMITTED BY SA [REDACTED]
 GENERAL INVESTIGATIVE DIVISION

SUGGESTION: That the designation of a Bureau deadline date in a case be set forth under the character of the case in the caption, inclosed in parenthesis, in all communications except investigative reports.

As an example, the caption on mail would appear as follows:

[REDACTED]
 LMRDA - IM
 (Buded 3/3/61)

66-2435-
 NOT RECORDED
 184 APR 13 1961

PRESENT PRACTICE: Bureau Bulletin #30 in 1951 provided that the dead- line should be set forth in the caption of communications in applicant and loyalty-type cases particularly in those cases emanating from the field. This is no longer applicable. No provision is made for criminal or other types of cases. Currently in Security of Government Employees (SGE) and Loyalty of Employees of United Nations (LEUN) cases, Buded is shown in caption.

ADVANTAGES: Suggester feels that adoption of his suggestion would make it possible for recipients of communications to determine deadlines at a glance. He also feels that it would insure that leads set forth intra-office would be handled in accordance with deadlines and that assignments made by supervisors would be streamlined and the necessity for re-reading whole communications to determine the deadline date would be obviated.

OBSERVATIONS: Mr. McGrath, Section Chief of the Accounting and Fraud Section of the General Investigative Division, recommended favorable consideration.

The General Investigative Division also recommended favorable consideration.

The Special Investigative Division, in submitting their views, stated that they had no objection to extending the use of this

Enclosures

JER:ML

(2)

APR 13 1961

58 APR 17 1961

Manual for Field Stenographers
 Stenographers' Manual (SOG),
 and Manual for Bureau
 Supervisors revised
 accordingly. JWB

Handbook
 + Manual
 of Rules &
 Regulations
 revised
 JWB

Noted by [unclear]
 4/11/61
 JWB

ORIGINAL COPY FILED IN 66-2435-36

b6
 b7C

Memorandum Malone to Mohr
Re: REPORT WRITING
SUGGESTION #475-61
SUBMITTED BY SA [REDACTED]
GENERAL INVESTIGATIVE DIVISION

b6
b7C

procedure for showing Bureau deadline dates. They noted, however, that while there are deadlines in fugitive cases, they applied to individual leads and, therefore, are not subject to Bureau deadline as such. They recommended favorable consideration be given to adopting the suggested procedure in those instances where a deadline is applicable.

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The Domestic Intelligence Division favored adoption of the suggestion with the exception that the deadline should not be shown on all documents prepared for possible dissemination.

The Training and Inspection Division agrees with the views of the General Investigative, Special Investigative, and Domestic Intelligence Divisions set forth above, that the suggestion should be adopted in the interests of standardizing the procedure. In this context it is noted that it is already done in SGE and LEUN cases, but in other cases, offices setting out leads with deadlines in them usually indicate such deadlines near or with the leads or in or near the caption and reference.

RECOMMENDATIONS: (1) That the suggestion be adopted and the attached letter directed to SA [REDACTED]
His suggestion was acknowledged by prior letter.

(2) That this memorandum serve as the authority for the Manuals Desk, Training and Inspection Division, to make the necessary manual changes.



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SAC, Atlanta

4-7-61

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Director, FBI

**ASSEMBLING INSERTS AND FD-302s FOR
TRANSMITTAL TO OFFICE OF ORIGIN**

Reference is made to the suggestion of [redacted] dated 3-23-61 wherein it was suggested that inserts and FD-302s should not be assembled when submitted by auxiliary offices to office of origin as enclosures. The Manual for Field Stenographer, Section 3E, Pages 3 and 4, 1 through 15, provides standardized rules concerning assembling of all Bureau correspondence. The system proposed by [redacted] which would be an exception to these rules has been given careful consideration and it has been decided that this should not be adopted.

This system was tried by the Washington Field Office in the recent past and found to be highly unsatisfactory. Basic faults included:

1. Loss of control of the complete document when single staple removed.
2. Second and subsequent pages when detached lost their identity when separated from page 1.
3. The receiving office had difficulty trying to reassemble the document in proper sequence when the sending office misassembled these unnumbered pages.
4. When unstapled and unassembled, receiving office had found difficulty in determining what were inserts and what were continuation pages of FD-302s.
5. The counting of enclosures was contrary to the basic enclosure rule and caused considerable confusion at the Mail Desk in the Chief Clerk's Office.

JVC:smr

(6)

① - 66-2435

1 - Personnel file of [redacted]

Atlanta Division

NOT RECORDED

170 APR 11 1961

62 APR 14 1961

ORIGINAL COPY FILED IN 66-2435-11

Letter to SAC, Atlanta

Re: Assembling Inserts and FD-302s for Transmittal to Office of Origin

The proposed system of [redacted] in addition, is contrary to standardized stenographic procedure of assembling finished transcriptions. The assembly should be done in the office of preparation. All field divisions should be completely assembling inserts and FD-302s before submitting same to office of origin in keeping with this standard Bureau procedure.

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b7C

If your office is receiving inserts and FD-302s not handled in this fashion, as [redacted] suggestion indicates, promptly advise the Training and Inspection Division in order that corrective action can be brought to the attention of the field.

REC-65 66-2435-2545

April 26, 1961

PERSONAL

EX-130

[Redacted]
Federal Bureau of Investigation
Springfield, Illinois

Dear [Redacted]

I have received your suggestion to revise the regulations concerning the submission of certain enclosures to reports. Your proposal is receiving careful consideration and you will be advised if it is adopted.

The interest which prompted you to submit your idea to me is indeed appreciated.

Sincerely yours,

J. Edgar Hoover

1 - SAC, Springfield

1 - Personnel file of SA [Redacted]

ML:het (Suggestion #595-61 dated 4/14/61)
(5)

NOTE: Referred to General Investigative and Special Investigative Divisions for views and recommendations.

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REC'D-READING ROOM
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Mohr _____
Belmont _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Tavel _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

MAY 5 1961

MAIL ROOM ☐

TELETYPE UNIT ☐

REC'D - HVT

545-61

Date

4-14-61

To:

Director, FBI

From: (Suggester's name)

Division of Assignment

Springfield, Illinois

b6
b7C

SUGGESTION

Change Bureau regulations to delete sending ~~disposition~~ sheets (R-84) to Bureau as enclosures to report reflecting disposition.

Disposition of each Federal prisoner is sent to Identification Division by U. S. Marshal on form DJ 100 which was put in use effective February 26, 1961.

REPORTS

Current practice or rule (Include manual citation as well as facts)

To send as enclosure to report of disposition an R-84 (Disposition Sheet). Manual of Rules and Regulations, Part II, Section 4, page 10

Advantages of suggestion and annual savings (include basis for estimate)

1. Would end duplication of work done by FBI and U. S. Marshal's Office. Form DJ 100 is completed on each Federal Prisoner.
2. Report writing is further streamlined.
3. Annual savings to FBI and the Government would be substantial in view of Agent's, Stenographic, Clerical, and Supervisory time saved in the field and in the Identification Division.

Disadvantages of suggestion

None

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(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States)



Mr.



Mrs.



Miss

Signature and Title of Suggester

Recommendations and comments of Division Head

Suggestion appears to eliminate an unnecessary duplication of work and I recommend that it be adopted.

R. D. Gubler

Signature and Title SAC

(Do not write in this space - for Bureau use only)

EX-130

REC-65

66-2447-111

17 APR 24 1961

TWO

3 - Bureau
2 - Springfield (1 - 66-2360, [redacted])

per: on: 1 file

62-247
66-2265

UNRECORDED COPY FILED IN

APR 24 1961

UNITED STATES

NT

Memorandum

TO : DIRECTOR, FBI

DATE: 4/25/61

Referral/Consult

FROM : *W* LEGAT, MEXICO (66-358)

SUBJECT: *O* REPORT WRITING

ReBulet 4/17/61.

On 4/25/61

[Redacted]

[Redacted]

2 - Bureau — *1 cadet Flo/np*
1 - Mexico City
JFD:plb
(3)

13477-1



37

56 MAY 12 1961

REC-37

66-2435-2546

MAY 27 1961

TWO

UNITED STATES GOV

Memorandum

TO : Mr. Mohr

DATE: 5/3/61

FROM : J. F. Malone

SUBJECT: REPORTS
 SUGGESTION #595-61 SUBMITTED BY
 SA [REDACTED]
 SPRINGFIELD OFFICE

Tolson _____
 Parsons _____
 Mohr _____
 Belmont _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Tavel _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

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SUGGESTION: That Bureau regulations be changed to delete sending Disposition Sheets (R-84) to the Bureau as enclosures to reports reflecting final disposition of criminal cases. Suggester states that disposition of each Federal prisoner is sent to Identification Division by U. S. Marshal on Form D J-100 which was put in use effective February 26, 1961.

PRESENT PRACTICE: Disposition Sheets (R-84) are forwarded as enclosures to investigative reports showing final dispositions of criminal cases in which fingerprint cards have been forwarded previously. This form serves as a follow-up to a specific arrest.

ADVANTAGES: Suggester feels this would end duplication of work done by the FBI and U. S. Marshal's Office since Form D J-100 is completed on each Federal prisoner. Also, report writing would be further streamlined. Additionally, annual savings to Bureau would be substantial in view of time saved by Agent, stenographic, clerical and supervisory personnel in the field and Identification Division.

OBSERVATIONS: SAC Gibbons of the Springfield office recommended adoption since suggestion appears to eliminate duplication of work.

The General Investigative Division considered the suggestion and opposed its adoption. They felt under suggested system the completion of the identification record in Bureau cases would be dependent upon U. S. Marshal submitting their Form D J-100. It has been found that U. S. Marshals do not always submit disposition sheets on their handling of Federal prisoners.

The Special Investigative Division also opposed adoption of the suggestion. They set forth substantially the same views as General Investigative Division and advise that U. S. Marshals have been under instructions for years to submit dispositions on all Federal prisoners. The Bureau was aware of this when rule was adopted requiring

ML:het
 (2)

2 XEROX
 MAY 9 1961

66 MAY 11 1961

166-24135-1961
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 46 MAY 9 1961

ORIGINAL COPY FILED IN 62-24798-488

MEMORANDUM MALONE TO MOHR
RE: SUGGESTION #595-61

field to submit disposition sheets. Bureau found it could not depend on U. S. Marshals and felt the identification records should be complete and despite the change of form the facts remain the same.

Mr. C. A. Harris of the Identification Division telephonically advised he has been in contact with the Department of Justice and the U. S. Marshal's Office with the result that the Marshals are not going to submit D J-100 in our cases so that the old procedure will still apply. An SAC Letter to that effect is in the works.

In view of the foregoing, the Training and Inspection Division feels that the suggestion should not be adopted.

RECOMMENDATION: That the suggestion not be adopted. On approval, no further action is necessary since the suggester was thanked by prior letter.

J. M. Watson *J. H. V.*

May 17, 1961

PERSONAL

REC-41

100-2055-2547

[Redacted]
Federal Bureau of Investigation
Washington, D. C.

Dear [Redacted]

I have received your suggestion that a uniform method be adopted in setting forth certain information in reports. After careful consideration, it has been decided your proposal should not be adopted. While your idea has merit, information of the type in question does not lend itself readily to an inflexible method of reporting. It is felt that the disadvantages occasioned by adoption of a specific rule for setting out such information outweigh any advantages to be realized in so doing.

REC'D-READING ROOM

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I want you to know I appreciate the interest which prompted you to submit this idea to me.

Sincerely yours,

J. Edgar Hoover

1 - Mr. Tavel
1 - Personnel file of [Redacted]
ML:JER:het (Suggestion #622-61 dated 5/11/61)
(5)

NOTE: Suggests that a uniform method be adopted by the field offices in setting out informant symbols in reports by placing these symbols uniformly either at the beginning or following the information to which each symbol pertains.

Also, suggests that informant symbols be placed a space nearer the paragraph to which they pertain rather than being centered halfway between the paragraphs.

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Parsons _____
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Belmont _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
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Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

MAIL ROOM ☐

TELETYPE UNIT ☐

62 MAY 24 1961

John Mc

Addendum by the Files and Communications Division recommended against adoption since they felt no actual problem exists. They stated anyone reading reports has no actual difficulty determining whether the informant symbols in any given report precede or follow the information furnished by each informant. The Training and Inspection Division agrees with these views that suggestion not be adopted. They note in addition that the flexibility of reporting information ascribed to symbol informants has taken into account the complexities of setting forth this information which are encountered by various field divisions. No difficulty has been experienced in this regard up to now and none is anticipated in the future.

11 622-61

Date

5-11-61

To:

Director, FBI

From: (Suggester's name)

Division of Assignment

Files & Communications

SUGGESTION

It is suggested that a uniform method be adopted by the field offices in setting out informant symbols in reports by placing the symbol uniformly at either the beginning of the information to which it pertains or following the information.

It is also suggested that informant symbols be placed a space nearer the paragraph to which they pertain rather than being centered half way between paragraphs.

Reports

Current practice or rule (Include manual citation as well as facts)

See comments on page 2

Advantages of suggestion and annual savings (include basis for estimate)

The informant would be immediately apparent without checking through report to see whether it preceded or followed the information.

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FBI
MAY 15 1961

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Disadvantages of suggestion

None known.

(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States. I understand that I will be considered for any justified award only if my suggestion is adopted within two years after submission.)

☐ Mr. ☐ Mrs. ☒ Miss

Clerk

Signature and Title of Suggester

Recommendations and comments of Division Head

Unfavorable. Adoption of proposed requirement is not deemed necessary since no actual problem exists and anyone reading reports has no actual difficulty determining whether the informant symbols in any given report precede or follow the information furnished by each informant. LWB:bnc

(Do not write in this space - for Bureau use only)

REC-41

66 2435-2547

EX-113

MAY 18 1961

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FBI
MAY 15 1961

RECEIVED
FBI
MAY 15 1961

Suggestion Submitted By:
Files & Communications Division

5-11-61

b6
b7C

CURRENT PRACTICE:

In some instances the informant symbols are placed before the paragraph to which they pertain and in other instances they are placed after the paragraph.

The informant symbol is frequently placed half-way between two paragraphs, thus necessitating studying the report to determine whether symbol applies to the preceding or following information.

Examples: 100-435000-1 (informant symbol follows information)
 100-435003-1 (informant symbol follows information)
 100-435031-1 (informant symbol precedes information)

#620-61

To: Director, FBI
From: (Suggestor's name) John D. Pope, Jr., ASAC
Division of Assignment Seattle

SUGGESTION

It is suggested that the Bureau discontinue requiring reports on routine Selective Service cases where the U. S. Attorney declines prosecution. Normally we send two copies of a closing report to the Bureau, one of which is disseminated to national Selective Service Headquarters. It is suggested that the Bureau contact the national Selective Service Headquarters to determine if there is a real need for this information. If not, it is suggested that these reports be discontinued and the cases closed in the field administratively by letter to U. S. Attorney confirming his decision. In the event the Selective Service Headquarters does desire information on each of these cases, it is suggested that the Bureau consider allowing the field to send two copies of the letter to the U. S. Attorney confirming his decision to the Bureau, one of which (Cont. page 2)

Current practice or rule (Include manual citation as well as facts)

Presently requires two copies of closing report submitted to the Bureau in these cases.

Advantages of suggestion and annual savings (include basis for estimate)

Elimination of typing in the field of numerous Selective Service cases of a routine nature where the U. S. Attorney declines prosecution and saving of time and paper in each field office. A survey was made in the Seattle Office of 24 cases wherein closing reports were submitted to the Bureau where U. S. Attorney declined prosecution. These 24 cases had a total of 135 pages or an average of 5 5/6 pages per report, which could be eliminated if Bureau adopts the above suggestion. In each of these cases a one-page letter to the U. S. Attorney would have sufficed which would have resulted in a savings of 111 pages of typing in approximately one month's time. The Seattle Office during the past year opened 888 Selective Service cases and it is estimated that 800 of them would fall in the above category.

Disadvantages of suggestion

None.

66-2435-
NOT RECORDED
199 MAY 22 1961

(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States. I understand that I will be considered for any justified award only if my suggestion is adopted within two years after submission.)

☒ Mr. ☐ Mrs. ☐ Miss
Assistant Special Agent in Charge

Recommendations and comments of Division Head

See attached page

(Do not write in this space - for Bureau use only)

66 MAY 24 1961

XEROX
MAY 12 1961
TPO

LBI
MAY 8 1961

3 - Bureau
2 - Seattle (1-66-2443; 1-Personnel File POPE)

ORIGINAL COPY FILED IN 66-2435-2284

SUGGESTION (Cont.):

could be furnished to the Selective Service Headquarters. This letter to the U. S. Attorney sets out briefly the facts of the case and contains all pertinent information and usually is not more than one page in length.

RECOMMENDATIONS AND COMMENTS OF DIVISION HEAD

I have discussed this matter in detail with Mr. POPE and the other supervisors in the Seattle Division. It appears that apart from advising the Bureau of the completed investigation, the principal purpose in submitting a report in this type of case is to bring to the attention of the Selective Service System the number of matters investigated, our reasons for doing so and how the delinquency was cleared.

In view of the fact that the USA authorizes prosecution in such an extremely limited number of cases, it would appear that in the normal Selective Service case the principal objectives in submitting a report can be accomplished in the manner outlined by Mr. POPE. It would save a tremendous amount of supervisor's time, stenographic time in dictating and transcribing.

I recommend its approval.

UNITED

Me

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TO : DIRECTOR, FBI
ATTN: Training and Inspection Division

DATE: 5/10/61

FROM : SAC, PHOENIX (1-102)

SUBJECT: REPORT WRITING
Cochise County Sheriff's Office
Bisbee, Arizona

Re Phoenix letter to Bureau, 4/27/61.

This is to advise that this school will be held on 5/16 and 17/61, since SA [redacted] will be in United States District Court at Phoenix, Arizona on 5/23/61.

[redacted] advised that the change would not inconvenience his department in any way.

Change not

1c [unclear]
3 - Bureau
5 - Phoenix
(1 - 1-138)
(1 - SAC BOYLE)
(1 - SA [redacted])
(1 - SA [redacted])

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(8)

MAY 12 11 53 AM '61

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THREE

UNITED STATES

Memorandum

TO : Mr. Mohr

DATE: 5/15/61

FROM : J. F. Malone

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Parsons _____
Mohr _____
Belmont _____
Callahan _____
Conrad _____
DeLoach _____
Malone _____
Rosen _____
Tavel _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Ingram _____
Gandy _____

SUBJECT: SECURITY INDEX
SUGGESTION #613-61 SUBMITTED BY
SA [REDACTED]
CHICAGO OFFICE

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SUGGESTION: That the requirements for the submission of reports on Security Index (SI) subjects be changed so that reports on Top Functionaries would be submitted semiannually; on Key Figures, annually; on Key Facilities, annually; and on other SI subjects, every 18 months. The suggester states that adoption of his procedure would mean submitting a minimum of two reports in a three-year period and a minimum of three reports in a five-year period. He feels such a procedure would be just as effective as the present procedure since activities, especially in cases in which the subject is active, are frequently consolidated or "lumped" to avoid detailed reporting of repetitious routine meetings which the subject attended but in which he took no active part.

PRESENT PRACTICE: Reports are submitted as follows: Top Functionaries, quarterly; Key Figures, semiannually; Key Facilities, semiannually; and other SI subjects, annually. (Manual of Instructions, Volume III, Section 87 D, 7 f 8, pages 73 and 74). The foregoing relates to pending inactive cases in the first two categories and closed cases in the last. SAC Letter 61-25 (E), dated 5/2/61, changed the procedure for submission of reports on SI subjects employed in key facilities to an annual basis unless, of course, they are top functionaries or key figures, in which case the rule for such categories applies.

ADVANTAGES: Through the submission of fewer reports, estimated by the suggester to be approximately 9000 over a three-year period, an anticipated minimum of 12,000 Agent hours per year would be saved (based on four hours per report). He feels that this would save about \$69,200 per year plus stenographic and clerical savings of an additional \$31,000 and \$6,000 per year respectively.

OBSERVATIONS: SAC Gale of the Chicago office felt the idea had merit and warranted consideration.

Domestic Intelligence Division considered the idea and recommended against its adoption. They stated that steps had recently been taken to eliminate semiannual reports in key facility cases as noted above under "present practice."

JER:het
(2)

XEROX

62 MAY 17 1961

25 MAY 16 1961

EWG

ORIGINAL COPY FILED IN 100-358641

MEMORANDUM MALONE TO MOHR
RE: SUGGESTION #613-61

They felt that for the other categories, the present requirements are the minimum which can be placed for the following reasons:

1. The necessity for complete, thorough analysis of all SI cases on at least an annual basis;
2. The necessity of keeping the Department advised of results of our investigation for its concurrence and approval in regard to those persons listed for arrest in the event of an emergency;
3. To insure the proper discharge of our responsibilities to disseminate information to other interested government agencies.
4. The necessity to have these cases as current as possible in the event of an emergency. (Under the terms of the Attorney General's regulations, individuals detained under the Emergency Detention Program must be given hearings within 45 days after apprehension by U. S. Attorneys who must provide them with a summary of subversive information on which their detention is based, ten days prior to the hearings.
5. The Internal Security - Espionage Conference of May 8-9, 1961, felt there should be no change in the present requirements.

The Training and Inspection Division agrees with the views of the Domestic Intelligence Division that the suggestion should not be adopted for reasons outlined above.

RECOMMENDATION: That the suggestion not be adopted. On approval no further action is necessary as the suggester was thanked by prior letter.

JP H. W. St.

JR
Jim

UNITED ST.

Mem

ENT

TO : Director, Federal Bureau of Investigation DATE:

APR 13 1981

FROM [REDACTED] Assistant Attorney
[REDACTED] General, Criminal Division

HJM:RGC:

29-100-1

SUBJECT: [REDACTED] et al. v. United States
(Supreme Court, 1960, No. 53)

^oReport

Mr. Tolson _____
Mr. Parsons _____
Mr. Mohr _____
Mr. Belmont _____
Mr. Callahan _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Evans _____
Mr. Malone _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Trotter _____
Mr. W.C. Sullivan _____
Tele. Room _____
Mr. Ingram _____
Miss Gandy _____

We have been requested by [redacted] Assistant Attorney General, Office of Legal Counsel, to prepare the response to your memorandum of March 22, 1961, addressed to [redacted] concerning problems raised by the above Supreme Court decision.

You asked that we give you our current views in this matter so that you may reiterate the Department's opinion about retention of notes to your field service.

We do not view the [redacted] case as changing previous rules on this subject. The types of written material developed in interviewing witnesses, and which should be retained, are the following:

1. Written statements, signed by the witness.
2. Written statements, unsigned by the witness, but approved or adopted in any manner by the witness.
3. Notes which are a substantially verbatim recital of an oral statement by the witness. This would cover shorthand, speed writing, or longhand notes, as long as they are substantially verbatim and complete in recording what the witness said on interview. Even here, a transcription of the notes would suffice for the purposes of production, but prudence would seem to dictate retention of the notes in case of any dispute about the accuracy of transcription.
4. Notes which have been read back to the witness, or which the witness has been allowed to read, and which have been approved or adopted by the witness as his account of the matters concerning which he is interviewed.

62 MAY 24 1961

REC- 74

~~APR 19 1961~~

DAY 10

In other situations than those just set forth the agent's notes do not constitute a statement under the statute and need not be retained. Whenever the issue of note retention is raised during trial, one problem is that of demonstrating that the agent's discarded notes were not a producible statement. We do not think that the non-existence of the notes is an obstacle in this regard. If the agent is operating under clear instructions to retain the types of notes described above, and if it is his custom to follow those instructions, he can so testify, and we feel that compliance with the statute can be adequately shown by this method.

In any case where notes have been discarded under the above criteria we will be prepared to argue the correctness of such action in the courts.

Please feel free to communicate further at any time regarding this important subject.

UNITED STATES

Memorandum

TO : Mr. Parsons

DATE: April 19, 1961

FROM : A. Rosen

SUBJECT: [redacted] et al. v. United States
(Supreme Court, 1960, No. 53)

Tolson _____
 Parsons _____
 Mohr _____
 Belmont _____
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 Evans _____
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 W.C. Sullivan _____
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This matter deals with the retention of notes taken by Agents of the FBI.

We are now in receipt of a memorandum from Assistant Attorney General [redacted] of the Criminal Division, which was prepared at the request of Assistant Attorney General [redacted] Office of the Legal Counsel, concerning the problem of retention of notes. This arose from the above-captioned case in the Supreme Court.

It will be recalled we spoke to Messrs [redacted] and [redacted] and went over the Department's previous instructions in this matter. These were specifically referred to in the memorandum prepared by former Assistant Attorney General [redacted] who on November 16, 1960, reaffirmed the Department's position relative to the handling of notes made during an interview.

The Department has come to the conclusion that the FBI may reiterate the Department's opinion about the retention of notes by our Special Agents. There is no change in the present policy followed by the Bureau. In this connection the Department specifically points out the following:

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"We do not view the [redacted] case as changing previous rules on this subject. The types of written material developed in interviewing witnesses, and which should be retained, are the following:

"1. Written statements, signed by the witness.

"2. Written statements, unsigned by the witness, but approved or adopted in any manner by the witness.

"3. Notes which are a substantially verbatim recital of an oral statement by the witness. This would cover shorthand, speedwriting, or longhand notes, as long as they are substantially verbatim and complete in recording what the witness said on interview. Even here, a transcription of the notes would suffice for the purposes of production, but prudence would seem to dictate retention of the notes in case

AR:mpd (6)

Memo to Mr. Parsons from A. Rosen 4/19/61

"of any dispute about the accuracy of transcription.

"4. Notes which have been read back to the witness, or which the witness has been allowed to read, and which have been approved or adopted by the witness as his account of the matters concerning which he is interviewed.

"In other situations than those just set forth the agent's notes do not constitute a statement under the statute and need not be retained. Whenever the issue of note retention is raised during trial, one problem is that of demonstrating that the agent's discarded notes were not a producible statement. We do not think that the non-existence of the notes is an obstacle in this regard. If the agent is operating under clear instructions to retain the types of notes described above, and if it is his custom to follow those instructions, he can so testify, and we feel that compliance with the statute can be adequately shown by this method.

"In any case where notes have been discarded under the above criteria we will be prepared to argue the correctness of such action in the courts."

ACTION TO BE TAKEN:

In view of the above, appropriate instructions will be issued to the field incorporating the above position of the Department and reiterating that existing Bureau procedures are still in effect but that this information is being furnished in further clarification of the matter.

6/9/61

R

Yes.

Yes.

✓

WRC

See letter typed
4/27/61
J. G. O.

May 31, 1961

REC-44

66-2435-7550

PERSONAL

MAY 31 7 12 PM '61

FBI

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300-100-0000

[Redacted]
Federal Bureau of Investigation
Washington, D. C.

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Dear [Redacted]

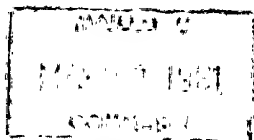
I have received your suggestion that certain information be deleted from cover pages of reports which are submitted to the Bureau. After careful consideration, it has been decided that your proposal should not be adopted. It is felt individual files should be complete and this information is an integral part of the report.

I want to thank you for giving me the benefit of your observations in this matter.

Sincerely yours,

J. Edgar Hoover

b6
b7C



- 1 - Mr. Belmont
- 1 - Personnel file of SA [Redacted]

ML

(5) (Suggestion #647-61 dated 5/25/61)

NOTE: Suggests the field no longer be required to document the identities of the sources used in Bureau-approved characterizations of organizations in future submission of cover pages to reports. Suggester states documentation is an administrative procedure primarily used because it may be necessary to locate original documents and items for the U. S. Attorney, or for use in the event the Emergency Detention Program goes into effect. In the case of Bureau-approved characterizations of organizations, the identity of the source

(continued)

Tolson _____
Parsons _____
Mohr _____
Belmont _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
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Tavel _____
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W.C. Sullivan _____
Tele. Room _____
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or sources is current and known to the Bureau from the moment the characterization is approved and is filed in the individual organizational file.

The Domestic Intelligence Division recommended that suggestion not be adopted. They advised individual files should in each instance be complete insofar as setting forth identities of sources furnishing information contained therein and the characterizations of organizations and/or publications are integral parts of the reports. The characterizations of uncited organizations and the sources furnishing information upon which characterizations are based are subject to frequent change. The adoption of this suggestion could lead to a file containing characterizations, the nature of which has changed over the years. The identities of the sources upon which characterizations are based are readily available to Agents when they prepare reports in these cases and little additional effort is required in setting forth such in the cover pages to the reports.

The Training and Inspection Division agrees with these views and recommends that for the above reasons the suggestion not be adopted.

644-6
Date
5/25/61

To:
Director, FBI

From
SA [redacted]

Division of Assignment
Domestic Intelligence, SOG

SUGGESTION In future submission of Cover Pages to reports, the field no longer be required to document the identities of the sources used in Bureau-approved characterizations of organizations. Documentation is an administrative procedure primarily used because it may be necessary to locate original documents and items readily for the USA's, for use at hearings, or for use in the event the Emergency Detention Program goes into effect (Hand Book, page 67a, Part I). However, in the case of Bureau-approved characterizations of organizations, the identity of the source or sources is current and known to the Bureau from the instant the characterization is approved and is filed in the individual organizational file. Furthermore, should the identity of the sources be necessary, the most recent and current sources would undoubtedly be furnished along with the sources pertinent to the period involved, if different.

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Current practice or rule (Include manual citation as well as facts) Cover pages to each report contain the identities of sources used in Bureau-approved characterizations of organizations when the organization is mentioned in the details. These sources are repeated in subsequent reports whenever the organization is referred to in the details.

- Advantages of suggestion and annual savings (include basis for estimate)
1. Elimination of $\frac{1}{2}$ to 1 page of cover pages in the vast majority of reports submitted.
 2. Elimination of Agent time in preparing for as well as actual dictation.
 3. Elimination of stenographic dictation and transcription.
 4. Elimination of field and SOG supervisory time required to proofread for grammar and content accuracy.

Disadvantages of suggestion It is realized this may necessitate referral to the organizational file should a request be received for the identities of sources who furnished information used in the characterization of organizations. However, it is anticipated that such requests would be extremely rare and the adoption of this suggestion would result in a substantial saving to the Bureau based on the volume of Bureau-wide reporting.

(The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States. I understand that I will be compensated within two years after submission.)

☐ Mr. ☐ Mrs. ☐

Signature and Title of Suggester

Recommendations and comments of Division Head

SEE ADDENDUM PAGE 2

REC-44

66-2435-2550

17 JUN 1961

Signature and Title

(Do not write in this space - for Bureau use only)

LBI
REC'D - WFO

DOMESTIC INTELLIGENCE DIVISION
MAY 25, 1961

ADDENDUM:

This Division recommends against adoption of the above suggestion for the following reasons:

1. Individual files should in each instance be complete insofar as setting forth identities of sources furnishing information contained therein and the characterizations of organizations and/or publications are integral parts of the reports.
2. The characterizations of uncited organizations and the sources furnishing information upon which characterizations are based are subject to frequent change. All such characterizations are brought up to date at least annually. The adoption of this suggestion could lead to a file being replete with characterizations of an organization, the nature of which has changed over the years or the sources providing the characterizations have changed, thus leading to a great deal of confusion if, in the future, the need arose to determine what source provided specific information on which a characterization is based.
3. We are at this time experiencing requests from various agencies administering security programs under which hearings are contemplated for the identities of sources providing the information on which characterizations of organizations and/or publications are based. We can expect additional requests in the future and individual case files should show the identities of these sources.
4. The identities of the sources upon which characterizations are based are readily available to Agents at the time he prepares reports in these cases and little additional effort is required in setting forth such in the cover pages to the reports.

TDR/fbm

(c) TITLE 18, U. S. CODE, SECTION 3500 - THE JENCKS ACT - INTER-VIEWS - NOTES -- In response to inquiry prompted by the decision of the Supreme Court in [redacted] v. U. S., 365 U. S. 85 (1961), the Department of Justice has advised the Bureau as follows on the subject of retaining investigative notes on interviews with witnesses:

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Reports

"We do not view the [redacted] case as changing previous rules on this subject. The types of written material developed in interviewing witnesses, and which should be retained, are the following:

- "1. Written statements, signed by the witness.
- "2. Written statements, unsigned by the witness, but approved or adopted in any manner by the witness.
- "3. Notes which are a substantially verbatim recital of an oral statement by the witness. This would cover shorthand, speedwriting, or longhand notes, as long as they are substantially verbatim and complete in recording what the witness said on interview. Even here, a transcription of the notes would suffice for the purposes of production, but prudence would seem to dictate retention of the notes in case of any dispute about the accuracy of transcription.
- "4. Notes which have been read back to the witness, or which the witness has been allowed to read, and which have been approved or adopted by the witness as his account of the matters concerning which he is interviewed.

"In other situations than those just set forth the Agent's notes do not constitute a statement under the statute and need not be retained. Whenever the issue of note retention is raised during trial, one problem is that of demonstrating that the Agent's discarded notes were not a producible statement. We do not think that the nonexistence of the notes is an obstacle in this regard. If the Agent is operating under clear instructions to retain the types of notes described above, and if it is his custom to follow those instructions, he can so testify, and we feel that compliance with the statute can be adequately shown by this method.

5/16/61

SAC LETTER NO. 61-27

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"In any case where notes have been discarded under the above criteria we will be prepared to argue the correctness of such action in the courts."

In the event that an Agent is questioned on this procedure, he should reply that it is a policy established by the Assistant Attorney General, Criminal Division, Department of Justice.

Investigative personnel will continue, also, to follow the Department's instructions provided earlier that an Agent's notes of a precise character, made to record his own findings, must always be retained. Such notes include, but are not limited to, accountants' work papers, and notes covering matters such as crime scene searches, laboratory examinations and fingerprint examinations. If a doubtful situation arises, resolve the question in favor of keeping the notes.

The clarification of the Department's earlier instructions should be brought immediately to the attention of all investigative personnel.